

LonXThree

Erection of two custom-build dwellings (outline application with all matters reserved except landscaping and access)

At Home Farm, Markfield Road, Groby, LE6 0FT

PLANNING STATEMENT



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1. INTRODUCTION

- 1.1 This Planning Statement (“The Statement”) has been commissioned by LonXThree (“the Applicant”), to accompany an outline planning application for the erection of two custom-build dwellings, with all matters reserved except landscaping and access, at Home Farm (“the Site”).
- 1.2 A comprehensive Design Code and Parameter Plans have been prepared by Marrons Architects, and should be read in conjunction with this Statement and our submitted Landscaping Strategy.
- 1.3 The following technical reports have been submitted electronically via the Planning Portal as part of this application, and should be read in conjunction with this Statement:
 - Transport Statement, prepared by Magna Transport
 - Preliminary Ecological Appraisal, prepared by Wildlife-Consulting
 - Self and Custom Build Housing Need Assessment, prepared by Marrons
- 1.4 This Statement is structured as follows:
 - In **Section 2** we describe the site, its surroundings and background information relevant to this application;
 - In **Section 3** we describe the proposed development;
 - In **Section 4** we identify the relevant planning policy considerations against which the proposed development should be considered;
 - In **Section 5** we address the evolution of the scheme following pre-application advice;
 - In **Section 6** we assess the proposed development against these policy considerations;
 - In **Section 7** we set out our conclusions.

2. SITE CHARACTERISTICS & CONTEXT

- 2.1 The application site is located off Markfield Road (A50), south west of the core area of Markfield and north east of the village of Groby, within a loose knit cluster of established and recently constructed residential development. It is approximately 2km to the southern edge of Markfield and 1km to the centre of Groby. Within the local plan the area is washed over with a countryside allocation although it has an edge of settlement character.
- 2.2 Both Markfield and Groby are allocated as key rural centres under Policy 7 of the Hinckley and Bosworth Core Strategy (2009). The Core Strategy states “Key Rural Centres are those villages that have populations over 1500 people, have a primary school, local shop, post office, GP, community/leisure facilities, employment and a 6 day a week bus service (hourly). Key Rural Centres that provide localised provision of facilities permit access by foot, cycle and local bus and can minimise car journeys not only for those people who are living in these settlements, but also the rural villages and hamlets surrounding these centres.”
- 2.3 The site comprises the former storage yard used during the construction/conversion of the farm buildings previously associated with Home Farm. Home Farm is a collection of traditional 19th century farm style buildings in a courtyard arrangement. The buildings are largely stone with brick detailing to the window and door openings. The roofs are slate and vary in height, however the majority of the buildings are 1 - 2 storeys. The buildings are currently undergoing conversion and renovation to dwellings many of which are now occupied. Planning permission ref: 15/00743/FUL and subsequent S73 applications secured the renovation and conversion of the farm buildings to provide three new residential dwellings, as well as extensions to the two existing dwellings on site.
- 2.4 The landscape surrounding the site is indicative of its location within Charnwood Forest and the wider National Forest. The site is bordered to the north, west and south by mature woodland, enclosing the area and restricting views in from the open countryside. The area to the east of the existing access road is, however, open and the site is visible from the A50.

2.5 Access to the site is achieved via an existing access onto the A50 (Markfield Road), comprising a left-in, left-out access arrangement. Markfield Road is a dual carriageway road, subject to a speed limit of 40mph at this point.

2.6 The site is not within a Conservation Area and there are no heritage assets in the vicinity that stand to be impacted by the development.

2.7 The site lies within flood zone 1 meaning that it is at low risk of flooding. There are no known critical drainage problems or any other known constraints.

i. Planning History

2.8 The Council's Planning Public Access Page provides the sites planning history. The planning history of the site, as available is summarised in Table 1 below:

Planning Application No.	Description	Date of Decision	Decision
15/00743/FUL	<i>Conversion of agricultural buildings to 3 dwellings and extensions and alterations to 2 existing dwellings.</i>	11/11/2016	Approved Conditionally
20/00683/CONDIT	<i>Variation of condition 2 (plans) of planning permission 15/00743/FUL to alter the design of plot 1.</i>	22/09/2020	Approved Conditionally
20/00845/CONDIT	<i>Variation of condition 2 (plans) of planning permission 15/00743/FUL to alter the design of plot 2.</i>	26/11/2020	Approved Conditionally
21/00788/CONDIT	<i>Variation of condition 2 (plans) of planning permission 15/00743/FUL to alter the design of plots 3, 4 and 5</i>	10/09/2021	Approved Conditionally
22/00532/CONDIT	<i>Variation of condition 2 (approved plans) attached to planning permission 15/00743/FUL by making changes to plot design and the extent of demolition required.</i>	23/12/2022	Approved Conditionally

24/10123/PREHMO	Erection of two self-build dwellings (Pre-Application Advice Request)	08/11/2024	Advice Given which Informs this Submission
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Table 1 –planning history of the application site

3 THE PROPOSED DEVELOPMENT

- 3.1 The applicant seeks outline planning permission for the erection of 2x custom built residential units, with all matters reserved except landscaping and access. Our submission is supported by a detailed Design Code which will provide future custom builders with essential design parameters.
- 3.2 The proposed dwellings are to be 'custom built', within the definition provided in the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). They will be designed (within the established parameters), and occupied by people from the Self-Build/Custom Housebuilding Register held by Hinckley and Bosworth.
- 3.3 The submitted Parameter Plan outlines the developable area of each plot. These areas ensure the tree lines framing the site to the north, west and south are left undisturbed by the development. The Parameter Plan includes green frontages to achieve a suitable setback distance from the access road, whilst providing pockets of greenery to both shield the development and improve the visual amenity of this area of the countryside.
- 3.4 Surrounding building heights have been considered within the Design Code and a predominant mixture of 1-2 storeys is identified. The 2x proposed units will subsequently reflect this.
- 3.5 Following a review of the Council's Pre-Application response (PAR), the theme of the proposal has shifted to be landscape-led. The red line boundary has been enlarged since receipt of the PAR to incorporate land to the east of the access road. A comprehensive tree planting schedule is proposed in this area to significantly shield the proposed units from the A50. This focus on the planting of trees will assimilate the area into the surrounding National and Charnwood Forests, whilst making use of land which is visually unattractive following its use as a building yard during the completion of the Home Farm development.

4. PLANNING POLICY CONTEXT

4.1 Section 38(6) of the Planning and Compulsory Purchases Act 2004 requires that a planning application is determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the application site consists of the relevant policies of the adopted Hinckley and Bosworth Local Plan 2006 – 2026 comprising the Core Strategy DPD (December 2009) and the Site Allocation and Development Management Policies DPD (July 2016). The Hinckley and Bosworth Local Plan 2020 – 2039 is currently under consultation and can be given only very limited weight. The National Planning Policy Framework (2023) is also a material consideration in the determination of this application.

i. Core Strategy (2009)

4.2 The following policies from the Core Strategy are considered to be relevant to the determination of this application:

- Policy 13: Rural Hamlets
- Policy 14: Rural Areas: Transport
- Policy 16: Housing Density, Mix and Design
- Policy 21: National Forest
- Policy 22: Charnwood Forest
- Policy 24: Sustainable Design and Technology

ii. Site Allocations and Development Management Policies DPD (2016) (SADMP)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

iii. Hinckley and Bosworth Local Plan 2020 – 2039 (Draft 2021)

- Policy SS01 – Sustainable development
- Policy PMD02 – Active design and travel
- Policy HO01 – Provision of new housing
- Policy HO02 – Housing mix, size and type
- Policy HM06 – Self Build and custom Housing
- Policy HO08 – New housing in the countryside
- Policy HO10 – Rural exception sites
- Policy NAT07 – Protecting biodiversity
- Policy NAT09 – Development in the countryside and settlement separation
- Policy HT01 – Highways and transportation

iv. National Planning Policies and Guidance

4.3 The following statute, national policies and guidance documents are considered to be relevant to the determination of this application:

- Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)
- Self-build and Custom Housebuilding Regulations 2016
- Self-build and Customer Housebuilding (Time for Compliance and Fees) Regulations 2016
- Planning Practice Guidance (PPG)

v. Other Relevant Guidance

- Leicestershire Highways Design Guide
- Good Design Guide Supplementary Planning Document
- National Design Guide
- Landscape Character Assessment (2017)

4.7 Along with the aforementioned policies of the Development Plan, the National Planning Policy Framework (December 2023) is a significant material consideration. The following sections and paragraphs are of relevance to the proposals set out at top of this statement:

- Section 2 – Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land

5. RESPONSE TO PRE-APPLICATION ADVICE REQUEST REF: 24/10123/PREHMO

- 5.1 We have taken heed of the Council's advice in the PAR and have made a number of significant amendments to the scheme. Our pre-application scheme comprised a concept pack which outlined the general scale and layout of the two units via the submission of two options. In assessment of the pre-application scheme the Council raised concerns about ensuring the proposal would come forward as a genuine self-build. The Council stated that any future application must demonstrate that the development meets the definition of a self-build / custom built development and that it should enable self / custom build registrants a primary role in the design of the dwellings.
- 5.2 We have subsequently reframed the mechanism for the scheme and now seek outline planning permission for 2x custom-build dwellings with all matters except access and landscaping. We submit parameter plans with a Design Code which will control the general scale, appearance and materiality of the plots to ensure the dwellings respect the character of the surrounding area. The justification of our submitted Design Code is explored further in the below Planning Assessment. This code establishes the important controls to protect the character of the area and surrounding area but nevertheless allows future designers to create bespoke design as per the definition of self and custom build.
- 5.3 We now also seek the Council's consideration of landscaping following the Council's review of the Charnwood and National Forest Development Plan policies, as set out in the PAR. The Council highlighted the visibility of the site from the westbound A50 and the potential for ribbon development in conflict with Policies 21 and 22 of the Core Strategy. The land directly to the east of the existing access track has been cleared and is completely open. This results in clear views into the site looking west along the A50 which would leave the site largely exposed despite being bound by trees to the north, south and west.

5.4 We have subsequently extended the site area to 0.4ha to incorporate the entire area of Home Farm formerly used as a materials yard. The area of the site to the east of the access road will experience a significant transformation and will support an extensive tree planting schedule which follows the tree line of an area of woodland directly north of the A50. This landscaping strategy serves to shield the new development from the A50 and will provide a new pocket of woodland within both the Charnwood Forest and the National Forest. Our landscaping strategy is explored further in the below Planning Assessment.

6. PLANNING ASSESSMENT

i. *Principle of Development and Housing Need*

6.1 The Core Strategy adoption pre-dates the original NPPF and its latest two revisions, whilst the adoption of the Site Allocations and Policies DPD pre-dates the latest revisions. In accordance with Annex 1, paragraph 213 of the NPPF, due weight will be given to the policies contained within the Development Plan according to their degree of consistency with the NPPF, (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). The most relevant policies to the decision relate to the supply of housing and design. Whilst elements of these policies are in step with the NPPF there is a need to consider the weight given to them in this decision given their age and the shortfall that exists in housing land supply. There is no policy within the Local Plan which deals with self and custom-build and this silence in itself triggers the tilted balance at 11d of the NPPF.

6.2 Accordingly, the weight to be given to the defined limits to development, must be minimal as they will almost certainly need to be redefined to provide for further growth in the emerging local plan. Given the sustainability of Markfield and Groby as 'Key Rural Centres' it is reasonable to assume that these settlements will continue to be a focus for growth. Indeed, the emerging Local Plan states for the key service centres that there will be growth citing: "A presumption of a minimum of 200 dwellings in each key rural centre to provide for managed growth and maintain the vitality and viability of those settlements and rural hinterland. The final minimum housing provision for each settlement will consider other planning policy priorities, constraints on land supply and other wider strategic planning issues."

6.3 In addition, Hinckley and Bosworth is currently unable to demonstrate a five-year supply of housing land. Whilst the Council's latest published five year housing land supply figure indicates a supply of 5.14 years (1st April 2022), a verified figure of 4.89 years was established via Appeal in December 2023¹. This means that the tilted

¹ Appeal Decision Ref: 400-043-500

balance at 11d of the NPPF must be applied and planning permission should be granted unless the benefits of the development are outweighed by significant and demonstrable harm.

6.4 The provision of two new homes in a sustainable non isolated location close to two service centres at a time of housing need is a significant benefit of the proposal.

Housing Mix

6.5 The most recent Borough wide assessment (HEDNA 2017) outlines a preferred housing mix for the Borough and seeks smaller 3 bed dwellings and bungalows. At outline stage we intend to accord with the HEDNA assessment and Policy HO02 of the emerging Local Plan.

Custom-Build

6.6 Section 2A of the Self-Build and Custom Housing Act 2015 (as amended by the Housing and Planning Act 2016), and associated secondary legislation, places a duty on Local Planning Authorities to grant a sufficient number of suitable permissions to meet demand for self and custom build units in their area. This demand has to be measured by the number of applicants entered onto the self- build register in each base period. That number must be matched by suitable permissions granted within 3 years of the end of each relevant base period. Under section 2 of the same Act authorities must have regard to the register when making decisions on planning applications.

6.7 The Core Strategy is silent on the provision of custom-build housing in Hinckley and Bosworth and there is no clear mechanism for meeting this demand within the current policy framework. This in itself also engages the tilted balance at 11d.

6.8 As part of this outline application we have submitted an accompanying Self-Build and Custom Build Housing Assessment (SBCBHA).

6.9 The SBCBHA confirms through a Freedom of Information request that as of June 2024, there were a total of 48 individuals and associations on its Right to Build Register within Hinckley and Bosworth. However, it is clear that the Council rationalised its register in Summer 2021 omitting many individuals who registered prior to this. A review of the governments RTB monitoring register confirms there to be a total of 117 registrants over this period, averaging 15 per annum.

6.10 There is however a general consensus within Government research and other evidence that local authority self and custom build registers are not representative of the full demand, and as such the need for more self and custom build plots. Government guidance recommends that when assessing the need for self/ custom build plots, in addition to assessing numbers on a local authority's Right to Build Register that they also draw from secondary data sources.

6.11 Current demand for self-build units in the Borough is significantly in excess of the figures derived from the Council's Register. The Council has permitted only 16 plots since 2016, (2 per annum), and has yet to meet its statutory obligations in permitting sufficient plots to meet the need identified by its register.

6.12 The evidence presented within SBCBHA demonstrates a clear and significant demand for self-build and custom build plots within Hinckley and Bosworth. The Proposed Development will make a contribution towards the Borough's housing supply, meeting a local need for self-build and custom building plots, which should be afforded **significant weight**, particularly in the absence of any identifiable future supply of self/ custom build plots which will address needs identified from the Council's Right to Build Register.

6.13 Overall, the development provides 2x custom built homes at a time when there is a specialist need for this type of unit (identified in the HENA and self-build register) and a general need for housing across the Borough. These custom build dwellings are supported by a carefully considered design code and parameter plans which ensures a high level of design control for future identified registrants whilst retaining the rural character of the area. There is accordingly no conflict with any up to date Development Plan policy in terms of principle and this is a significant benefit of the scheme.

ii. Design and Landscaping

6.14 Good design is key to achieving sustainable development, with the importance of design reflected within both local and national policy. Paragraph 135 of the Framework states that development should be *“visually attractive as a result of good architecture, layout and appropriate and effective landscaping”* and *“sympathetic to local character and history, including the surrounding built environment and landscape setting”*.

6.15 Policy DM10 of the Site Allocations and Development Management SPD sets out the design requirements for development within the borough. The policy highlights the need for developments to complement the existing development character of the surrounding area as well as not impacting negatively on the amenity of surrounding occupiers.

6.16 Policy DM4 of the SADMP requires that development in the countryside does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside, does not undermine the physical and perceived separation and open character between settlements; does not create or exacerbate ribbon development, and if within the National Forest, it should contribute to the delivery of the National Forest Strategy in line with Core Strategy Policy 21.

6.17 Policy 21 supports proposals that contributed to the delivery of the National Forest Strategy provided that:

- The siting and scale of the proposed development is appropriately related to its setting within the Forest
- The development respects the character and appearance of the wider countryside and
- The development does not adversely affect the existing facilities and working landscape of either the Forest or the wider countryside

6.18 Within the National Forest new developments will be required to reflect the Forest context in their accompanying landscape proposals. Developments also need to provide on-site or nearby landscaping that meets the National Forest development planting guidelines. Landscaping should generally involve woodland planting, but can

also include creation and management of other appropriate habitats, open space provision and the provision of new recreational facilities. The appropriate mix of landscaping features will depend upon the setting and the opportunities that the site presents.

6.19 The site is also located within Charnwood Forest, Policy 22 states that within Charnwood Forest proposals will be supported that:

- Maintain the traditional working landscape of the forest, particularly those which involve rural diversification and sustainable tourism, including green tourism initiatives
- Provide new recreation facilities around the fringes of the area
- Provide access to and from the rural areas into and within the regional park by non vehicular means, provided that they:
 - Retain local character and complement the local landscape
 - Enhance open spaces, including the treatment of built edges
 - Enhance woodland and habitat provision and connectivity
 - Manage and enhance the cultural heritage of the area

6.20 The site falls within Landscape Character Area (LCA) A; Charnwood Forest identified by the Borough Council's Landscape Character Assessment (2017). The key characteristics of this LCA are a prominent elevated platform, woodland cover of varying ages and a small to medium field pattern interspersed with large areas of woodland cover. The key sensitivities of this landscaped area are large mature woodlands and newer woodland plantations interspersed throughout the landscape and long & distant panoramic views to Leicester.

6.21 The PAR identifies the area within and surrounding the site as having a rural character with development to the north creating a transitional feel. Officers appreciate the amenity and visual value of the trees to the south, west and north, however they expressed concerns that the openness to the east of the site accentuates the increased level of domestication and harm to the area. Officers subsequently suggested the adoption of a robust design code and landscaping strategy to mitigate or avoid harm altogether. Accordingly, we have acted on this advice.

Design Code

6.22 Within our submitted Design Code we have included parameter plans which define indicative boundaries and dimensions and establish buildable zones and frontages. These guidelines ensure that the new homes complement rather than compete with the existing farmstead. They provide overarching control whilst allowing suitable design input potential from future custom-builders to make each plot unique.

6.23 Each plot encourages flexibility and promotes the development of green space to a set level to ease the transition from open countryside to new built development.

6.24 The Design Code also identifies key features of the local vernacular which custom-builders must feed into their designs. Key features identified include the influence of the nearby Home Farm barn conversions, with their traditional stone elevations and brick detailing, but also the importance of later examples of development, which predominantly use red brick and slate roofing. Buildings surrounding the site share a consistent building height, with all structures measuring 1-2 storeys. The Design Code therefore seeks to limit the two plots to 1-2 storeys to ensure the development is appropriately related to its setting between Home Farm and Markfield Road and within the National and Charnwood Forests.

Landscaping

6.25 In response to the advice of Officers we have evaluated and amended our approach to now promote the scheme as landscape-led. We appreciate the significance of the National Forest and Charnwood Forest and have revised the scheme to reflect the importance of these assets.



6.26 The above visual has been developed and illustrates the site 10 years into the future. By this time the new trees will have reached maturity and will provide excellent screening of views into the site from the A50. The proposed tree line also mimics the existing tree line of the area of woodland to the north of A50, creating a legible continuation of an already highly established area of forest. Policies 21 and 22 require developments within the National and Charnwood Forests to enhance woodland and habitat provision and connectivity. Woodland generally becomes sparser to the east of the site, as the A50 begins to enter Leicester and its suburbs. When exiting Leicester via the A50, the proposed landscaping scheme and existing woodland to the north will create a physical gateway into the forest, reaffirming the separation of built development and established woodland.

6.27 The landscaping scheme achieves a suitable balance between providing invaluable woodland, whilst retaining the largely unobstructed views that residents of Home Farm currently enjoy. It is proposed that the tree planting will cease before an area of open green space close to the Home Farm structures in order to protect residential amenity of Home Farm residents. This arrangement also enables the continuation of views into the Home Farm development from the A50, which still retains its agricultural building character following redevelopment. The Home Farm development adds to the character of the open countryside by serving as a reminder of the agricultural history of the immediate area and should therefore be respected.

6.28 Overall, our proposal clearly gains support from Policies 21 and 22 of the Core Strategy and our landscaping approach demonstrates a careful appreciation of the importance of both the National Forest and Charnwood Forest. The proposed dwellings will appropriately relate to the character of the dwellings at Home Farm and Markfield Road and fit in with the existing street scene. The provision of high quality landscaping assimilates the development into the wider National and Charnwood Forest and serves to limit views into the site. The proposal therefore accords with the Council's aforementioned design policies and the NPPF.

iii. Residential Amenity

6.29 Paragraph 135 of The Framework states that development should "*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.*"

6.30 Policy DM10 of the SADMP state that proposals should not adversely affect the occupiers of the neighbouring properties.

6.31 The plots have been carefully sited to ensure adequate separation distances can be achieved between the new dwellings at Home Farm and those fronting Markfield Road. The proposed dwellings will be situated approximately 30-40m from surrounding dwellings and the well established trees within the site and beyond will maintain the privacy of neighbours and occupiers. The existing trees provide excellent mitigation to ensure the plots are inconspicuous within their surroundings and do not encroach on the amenity of neighbouring properties. .

6.32 Our parameter plans pay particular attention to the relationship between the two dwellings and ensures future occupiers will be afforded high levels of residential amenity. It is anticipated that the dwellings will be plotted side by side, minimising any potential privacy and daylight impacts to the front and rear habitable windows.

6.33 Accordingly, new occupiers will benefit from a high quality living environment and enjoy a good standard of private amenity space and outlook from key habitable rooms. Both plots are in excess of the required separation distances concerning the rear boundaries and existing dwellings in the area. The development is therefore in compliance with relevant policies from the Borough's Development Plan and the Framework.

iv. Highways and Access

6.34 The Framework in Section 9 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be 'severe'.

6.35 Policy DM17 of the Site Allocations and Development Management DPD states new development will be supported where safe cycling and walking access to services and facilities can be achieved. As demonstrated in the Transport Note, prepared by Magna Transport Planning Ltd, the application site is located close to the settlement of Groby with safe pedestrian access provided by public footpath or by way of a short cycle along Markfield Road.

6.36 A pre-application transport scoping note was submitted to the Highway Authority and was assessed in tandem with our submission to Hinckley and Bosworth Borough Council. The transport scoping note was also submitted to HBBC, however it was deemed highly important to promote early engagement with the Highway Authority to ensure any concerns were addressed prior to the submission of this outline application. The salient points raised at pre-application stage were as follows:

- The access width is required to be of 4.8 metres required to enable it to serve the proposed development.
- The swept path of a refuse collection vehicle is not deemed necessary because as part of the consented scheme (original permission 15/00743/FUL) and subsequent S73 applications, a bin collection point was suggested along the access road near the entrance which could be utilised.
- Because of potential intensification of the access the Highway Authority would also have concerns that the proposals onto Markfield Road (A50) may be contrary to Policy IN5 which relates to the increase of trip on new or existing accessing on to A or B roads. However, the Highway Authority also raises that the LHDG is currently being reviewed, with a view to the final version being available in late 2024, this includes a more risk-based assessment of IN5.
- Whilst the Applicant has stated that the site has previous historical use as a farm which generated trips in its own right, the Highway Authority are aware that material traffic speeds and flows have changed since the 'Highway Report' referred to in the Pre-Application Transport Scoping Note was commissioned.
- Should an application be forthcoming, the Highway Authority will base it's observations upon the supplied information, which could be helped by an up-to-date speed survey. This would demonstrate appropriate visibility can be achieved at the site access based on actual vehicle speeds passing the site, in line with table DG4 of the Leicestershire Highways Design Guide.
- Parking provision should be provided on the basis of a minimum of two spaces for a dwelling of up to three beds and three spaces for a dwelling with four or more beds as per Paragraph 3.151 of Part 3 of the LHDG. Spaces should measure a minimum of 2.4 x 5.5 metres with an additional 0.5 metre strip for each side bound by a wall / hedge / fence etc as per paragraph 3.165 of Part 3 of the LHDG.

6.37 As demonstrated by the submitted access plans and Transport Note, safe and suitable access to both proposed dwelling would be achieved by the existing access currently used by Home Farm. The proposed two dwellings and the consented (and now built out) three additional dwellings would generate less vehicular trips than the previous agricultural operations at Home Farm. The consented and currently proposed development will result in a removal of large vehicles such as truck & trailers and lorries. Given that these vehicles are slower with wider tracked paths, their use of the access presents a greater risk to road safety. Accordingly, the cessation of these vehicles using the access should be seen as a highway benefit. Future occupiers of both plots will be afforded ample space to turn within the site, enabling vehicles to exit the site safely in a forward direction.

6.38 The internal access road is retained as five metres in width easily allowing two vehicles to pass. A bin collection point has provided as per the pp: 15/00743/FUL and subsequent S73 applications will be retained and used by the residents of the proposed two dwellings also. The existing bin collection point does not require expansion and can be used by the two proposed dwellings

6.39 It is demonstrated that the site access meets the required highway standards in terms of the width and visibility splays and the overall traffic situation on the A50 that use of it will not be higher than in the consented situation. The proposal would therefore provide safe and suitable access and would be in accordance with the relevant provision of paragraphs 109 and 110 of the National Planning Policy and comply with local highway guidance.

ii. Biodiversity and Arboriculture

6.40 The Framework at Section 15 states that development proposals should protect, contribute and enhance the surrounding natural environment, by protecting and preserving features of merit.

6.41 DPD Policies 4 and 6, state that development should not have a significant adverse impact upon the countryside and that it should seek to conserve and enhance features of nature conservation. On site features should be retained, buffered and managed

favourably to maintain their ecological value, connectivity and functionality in the long-term.

- 6.42 The proposals do not involve the loss of any significant habitat as the site comprises the former storage yard used during the renovation and conversion of Home Farm.
- 6.43 Accompanying this submission is a Tree Survey which has informed the design code and parameter plans. It is in our Client's best interest to incorporate the existing provision of trees into the layout as they serve to shield the future development, reducing the impact to the surrounding countryside landscape and the nearby existing built development and make the development more pleasant. The proposed plots have therefore been sited in a manner which ensures all trees on site are retained and the plots will not encroach into the root protection areas of on-site trees.
- 6.44 In response to pre-application advice we have extended the site area to incorporate the buildings yard located to the east of the access track. The overall site area now measures 0.4ha and is still therefore below the self / custom-build 10% BNG exemption threshold applied to all small scale self-build and custom housebuilding applications under 0.5ha.
- 6.45 Notwithstanding the above exemption and the resultant absence of a submitted BNG metric, the overall ecological enhancements to the site are expected to be significant. The submitted scheme is landscape-led and involves the planting of woodland spanning the eastern portion of the site. The landscaping strategy not only provides the necessary screening from the A50, but also reintroduces woodland to an important entryway into the Charnwood and National Forests. The new area of native tree planting will provide invaluable connections to other pockets of nearby woodland, allowing wildlife to travel safely across the countryside landscape and populate the new woodland.
- 6.46 The proposal therefore, whilst not required to show compliance with BNG regulations, still brings forward an excellent landscaping strategy which will yield significant biodiversity uplift, in accordance with policies 21 and 22 of the Core Strategy and the NPPF.

7. SUMMARY AND CONCLUSIONS

- 7.1 It has been demonstrated within the Planning Policy Assessment section of this Letter that the proposed development is compliant with the Development Plan when taken as a whole. The proposal would also offer significant benefits in terms of delivering high quality self-build housing at a time of great need for the Borough.
- 7.2 Our submitted Design Code and Parameter Plans promote ensure overarching concepts are adhered to whilst allowing freedom to design within this for future custom housebuilders. This enables a high level of design input from identified registrants at reserved matters stage.
- 7.3 The significant focus on landscaping reflects a carefully considered approach to mitigate impact upon the Charnwood and National Forests, in compliance with Policies 21 and 22 of the Core Strategy. The comprehensive tree planting schedule serves multiple purposes to aid in screening and assimilation into the forest, and overcomes concerns raised by Officers at Pre-App stage.
- 7.4 We therefore invite Officers to review our submission and recognise the considerable care and quality we have expressed in developing the pre-app scheme, to subsequently grant outline planning permission without delay.

Appendix 1- Copy of 24/10123/PREHMO

Please Ask For: David Spring
Direct Dial/Ext:
Email: david.spring@hinckley-bosworth.gov.uk
Your Ref:
Our Ref: 24/10123/PREHMO
Date: 8 November 2024



**Hinckley & Bosworth
Borough Council**

Mr Jaz Sahota
LonXthree
C/O 2012 Partnership Homes Ltd
50 Friargate
Derby
DE1 1DF

Dear Sir/Madam

Pre-application Response

Reference: 24/10123/PREHMO
Proposal: Erection of two self-build dwellings
Location: Home Farm, Markfield Road, Groby, Leicester
Ward: Groby

Thank you for your pre-application enquiry received 27 August 2024. The advice provided is based upon the information submitted with this enquiry.

Summary:

Residential development in this countryside location would conflict with Policy DM4 of the SADMP and Core Strategy Policy 13. There would therefore be concerns regarding the principle of residential development on the site outside the settlement boundary. However, this would be weighed against the findings that the site is sustainable in transport terms.

Concerns are raised about the environmental impacts of the development in terms of its impact on geological assets and the character/appearance of the countryside.

The LPA is not satisfied that the proposal is a genuine self-build development as presented at this stage, therefore the benefits of the development would not outweigh the harm and the development is unlikely to be supported by the LPA.

Description of Proposal:

The enquiry relates to a residential development for dwellings on land approx. 100m to the west of Markfield Road, Groby.

The enquiry is accompanied by a Transport Scoping note, a Tree Schedule, a Tree Constraints Plan, a Tree Quality Assessment and a cover letter. It is understood the dwelling would be 2 custom, self-build dwellings. A Self-Build and Custom Build Housing Assessment (SBCBHA) has also been submitted.

Advice is sought on Principle of Development, Layout, Scale and Landscaping.

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Description of the Site:

The site is outside of the settlement boundary for Groby with the access road leading from Markfield Road to 'Home Farm' which was granted permission in 2015 for 'Conversion of agricultural buildings to 3 dwellings and extensions and alterations to 2 existing dwellings'. The site was used as a materials yard during the conversion and extension works to Home Farm.

The proposed new dwellings will be accessed via the existing drive serving the two existing and three newly converted dwellings at Home Farm. The access road consists of a left-in, left-out access arrangement. Markfield Road is a two-lane dual carriageway road, subject to a speed limit of 40mph.

The developable area of the site varies only slightly in height, however surrounding the site is a slope with multiple trees throughout. There is also a pond south-west of the proposed site. The trees provide screening into and from the site to the west .

The site is within an Ancient Woodland Consultation Buffer, Charnwood Forest and the National Forest. The site is also identified as a Regionally Important Geological Site (RIGS). The site is not within a Conservation Area and there are no heritage assets in the vicinity that are likely to be impacted by the development. The site lies within flood zone 1 meaning that it is at low risk of flooding with no known critical drainage problems or other known constraints.

Two schemes have been submitted for consideration, Master Plan 1 option is for 2 L shaped chalet bungalows side by side with 2 onsite parking spaces at the front of each dwelling and a front and rear garden area. This option provides approx 172m² GIA for each home. Both homes are in line and set close to the boundary of the site. Both buildings are provided with a driveway, parking spaces and bin store. This option does however create different sized gardens for the plots due to the location of trees and shape of the site.

Master Plan 2 option is also for 2 L shaped chalet bungalows but with one set forward of the other providing approx GIA's of 170m² for each dwelling. Both options have been chosen to limit impact on nearby trees. Both plots have driveways, parking and bin stores. One plot is set further back to make use of the whole site and provide more privacy between the two houses.

In response to the existing buildings of Home Farm, the proposed buildings are proposed to follow the roof form and pitch. The overall height and width of the buildings will also match the existing buildings. Smaller single storey aspects of the buildings will have a green roof to reflect the surroundings of the site and to further enhance biodiversity and reduce surface water run-off.

Relevant Policies/Guidance:

Core Strategy (2009)

- Policy 13: Rural Hamlets
- Policy 14: Rural Areas: Transport
- Policy 16: Housing density, mix and design
- Policy 21: National Forest
- Policy 22: Charnwood Forest
- Policy 24: Sustainable design and technology

Site Allocations and Development Management Policies DPD (2016) (SADMP)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

National Planning Policies and Guidance

- Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)
- Self-build and Custom Housebuilding Regulations 2016
- Self-build and Customer Housebuilding (Time for Compliance and Fees) Regulations 2016
- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

Other relevant guidance

- Leicestershire Highways Design Guide
- Good Design Guide Supplementary Planning Document
- National Design Guide
- Landscape Character Assessment (2017)

All policy documents can be found on the council's website at: http://www.hinckley-bosworth.gov.uk/info/1004/planning_policy/381/planning_policy_documents

Appraisal:

Paragraph 2 of the National Planning Policy Framework (NPPF) 2023 identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. It also identifies that the NPPF is material planning consideration in planning decisions. Paragraph 12 of the NPPF states 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. Where a planning application conflicts with an up-to-date development plan permission should not usually be granted unless other material considerations indicate otherwise. The development plan in this instance consists of the Core Strategy (2009) and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (DPD) (2016).

Principle of Development

The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.

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 response sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.

Section 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 180(b) specifically highlights that this should be achieved by, "Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services."

The site lies outside of the defined settlement limits of Bradgate Hill, a Rural Hamlet as designated in Policy 13 of the Core Strategy. 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. Because of the limited services in these hamlets, they are generally not considered sustainable locations for significant housing growth. The 2021 Settlement Hierarchy Review confirmed Bradgate Hill had no primary or secondary facilities/services, a desk based assessment suggests no change in this position at this time. Policy 13 supports housing within the settlement boundaries that provides for a mix of housing types and tenures as detailed in Policy 15 and Policy 16. Development is also supported that complies with Policy 17 of the Core Strategy which relates to Local Needs, albeit, this is not relevant in this case as no case has been made that the development is a Local Choice or Rural Exception Site. As the site is outside of the settlement boundary there is conflict with Policy 13 of the Core Strategy and the overall settlement hierarchy.

As the site lies within the countryside, any future proposal would be assessed against Policy DM4 of the SADMP. Policy DM4 seeks to protect the intrinsic value, beauty and open character and landscape character through safeguarding the countryside from unsustainable development. Policy DM4 considers that development in the countryside is 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.*

Importantly, Policy DM4 also requires that development meets five further requirements to be considered as sustainable development, these are discussed in detail further in the response. Unlike the adjacent development at Home Farm, the proposal does not conform to any of the criteria listed above and there is therefore conflict with Policy DM4.

It is acknowledged that, through its intentions to implement the Core Strategy through its approach to the countryside and settlement boundaries, Policy DM4 is considered out-of-date. Nevertheless, the emphasis of Policy DM4 is to promote sustainable development proposals within the countryside and to safeguard it from unsustainable schemes. In this regard, Policy DM4 is consistent with, and accords with, the NPPF, and therefore it can be afforded significant weight within the planning balance. However, in this case whilst the development would not comply with the above criteria, as is explored in the highways section of the response the development is or can be made sustainable in terms of transport modes. This would need to be weighed in the planning balance.

Housing Land Supply

Paragraph 37 of the submitted cover letter is out of date in regards to the Council's housing land supply. The Council has published an updated 5yr housing land supply calculation on 29th July 2024. This updates the 5yr housing land supply position and demonstrates a 5.6yr supply of housing.

For decision taking, a 5yr housing land supply is a material consideration in all relevant applications for dwellings in the Borough. Despite being able to demonstrate a housing land supply, due to the age of relevant housing policies in the Core Strategy, in accordance with paragraph 11d) of the NPPF, the tilted balance still applies and the Council should still grant permission for housing unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Housing Mix

Paragraph 39 of the submitted cover letter refers to the HEDNA 2017, a more recent Housing Needs Study was undertaken in April 2024. Whilst relevant, given the proposal is presented as a self-build proposal the mix of the units would be driven by the needs of the end user but as self build plots we would recommend the plot size and details should be driven by the needs outline on the self-build register.

The suggested size mix of housing by tenure within the latest HNS is included below:

Figure 5: Suggested size mix of housing by tenure – Hinckley & Bosworth				
	Market	Affordable home ownership	Affordable housing (rented)	
			General needs	Older persons
1-bedroom	5%	20%	25%	40%
2-bedrooms	35%	50%	35%	
3-bedrooms	40%	25%	30%	
4+bedrooms	20%	5%	10%	60%

The study continues to highlight a need to increase the supply of accessible and adaptable dwelling and specific provision of older persons housing.

Custom and Self-Build Housing (CSB)

Paragraph 63 of the NPPF states that the need, size, type, and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care, and care homes); students; people with disabilities; service families; travellers; people who rent their homes; and people wishing to commission or build their own homes.

As of 31 January 2024, Section 123 of the Levelling Up and Regeneration Act 2023 (LURA) came into force regarding amendments to the duty in relation to self-build and custom housebuilding within Section 2A of the Self-Build and Custom Housebuilding Act 2015.

Section 2A of the Self-Build and Custom Housebuilding Act places a statutory duty on the Local Planning Authority to give permission to a sufficient number of self-build and custom housebuilding developments on serviced plots to meet the demand for self-build and custom housebuilding in the Authority's area.

Section 6 of Section 2A of the Self-Build and Custom Housebuilding Act confirms that the demand for self-build and custom housebuilding in an authority's area in respect of a base period is an aggregate of:

- (i) The demand for self-build and custom housebuilding arising in the authority's area in the base period; and
- (ii) Any demand for self-build and custom housebuilding that arose in the authority's area in an earlier base period and in relation to which:
 - (a) The time allowed for complying with the duty in Subsection (2) expired during the base period in question, and
 - (b) The duty in Subsection (2) has not been met.

The demand for self-building and custom housebuilding arising in an authority's area in a base period is evidence by the number of entries added during that period to the authority's Self-Build and Custom Housebuilding Register. At the end of each base period, the Local Planning Authority have three years in which to approve an equivalent number of plots of land for self-build and custom housebuilding on serviced plots of land as there are entries for that base period. However, there is no duty for the Local Planning Authority to grant permission for land that specifically meets the requirements expressed by those on the Register.

Section 5 of the Self-Build and Custom Housebuilding Act confirms that a “*Serviced plot of land*,” means a plot of land that has access to a public highway, and has connections for electricity, water, and wastewater, or can be provided with those things in specified circumstances or within a specified period. For clarity, “*Specified*” in this instance means specified by regulations.

With regards to the monitoring of self-build permissions granted to date, Base Period 9 ended on the 30 October 2024, given the recent date the Council are still reviewing the evidence base. However, it can be confirmed that the Council has a shortfall of 6 or fewer CSB permissions.

The pre-application enquiry states that the proposed dwellings are to be self-build, within the definition provided in the Self Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). The cover letter states that the dwellings will be built to a brief of future occupiers. The provision of self-build units would be a material consideration and weigh in favour of the development. In the absence of evidence to the contrary within the pre-application submission it is assumed the first occupiers/individuals seeking to self-build have not yet been identified. Yet the submitted information contains design statements relating to building mass, single storey aspects and green roofs. The submission also contains two options for development which include details such as scale and layout. Paragraph 47 of the cover letter goes on to refer to the development as a retirement home.

Assessing the pre-application submission as a whole the content and conflicting areas raise doubt that the proposal is a genuine self-build proposal. Any future application must demonstrate that the development meets the definition of a self-build development, based on the pre-application submission this test has not been met and the Council would not attribute positive weight to the proposal as a genuine self-build. Whilst it is acknowledged that in some circumstances parameters or design codes may be set for self-build developments we do not consider that the outline proposal which seeks to secure the scale and layout of the dwellings provides sufficient opportunities for an individual to have primary input into the design. Generally we would encourage/expect developments for multiple self-builds to be submitted in outline form for the provision of serviced self-build plots, perhaps with only details of access secured at outline stage. A design code or parameter plan could be submitted to support the development, however any restrictions would need to be clearly justified and should not go so far as to go against the spirit of CSB.

Were a future application to demonstrate the provision of genuine self-build units/plots this would be attributed positive weight in the planning balance. In this case the provision of two plots in the circumstance of a minor shortfall would likely attributed moderate positive weight in the planning balance. An application should include the requisite self-build evidence outlined in the validation requirements at the end of this response.

Design and impact upon the character of the area

Policy DM4 of the SADMP requires that development in the countryside does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside, does not undermine the physical and perceived separation and open character between settlements; does not create or exacerbate ribbon development and if within the National Forest it should contribute to the delivery of the National Forest Strategy in line with Core Strategy Policy 21.

Policy 21 supports proposals that contributed to the delivery of the National Forest Strategy provided that:

- The siting and scale of the proposed development is appropriately related to its setting within the Forest
- The development respects the character and appearance of the wider countryside and
- The development does not adversely affect the existing facilities and working landscape of either the Forest or the wider countryside

Within the National Forest new developments will be required to reflect the Forest context in their accompanying landscape proposals. Developments shall provide on-site or nearby landscaping that meets the National Forest development planting guidelines. Landscaping should generally involve woodland planting, but can also include creation and management of other appropriate habitats, open space provision and the provision of new recreational facilities. The appropriate mix of landscaping features will depend upon the setting and the opportunities that the site presents. Only in exceptional circumstances, where planting and landscaping cannot be accommodated on or nearby the development site due to lack of land will a commuted sum will be negotiated/accepted.

The site is also located within Charnwood Forest, Policy 22 states that within Charnwood Forest proposals will be supported that:

- Maintain the traditional working landscape of the forest, particularly those which involve rural diversification and sustainable tourism, including green tourism initiatives

- Provide new recreation facilities around the fringes of the area
- Provide access to and from the rural areas into and within the regional park by non vehicular means, provided that they:
 - Retain local character and complement the local landscape
 - Enhance open spaces, including the treatment of built edges
 - Enhance woodland and habitat provision and connectivity
 - Manage and enhance the cultural heritage of the area

Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

The Good Design Guide SPD outlines that built development on infill sites should be of similar footprint, plot position and layout to the wider context, allowing sufficient space between buildings and not adversely impacting upon the prevailing grain of development.

Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Further guidance is set out in paragraph 130 of the NPPF and paragraph 134 of the NPPF states 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. Local policy is considered to accord with the NPPF.

The site falls within Landscape Character Area (LCA) A; Charnwood Forest identified by the Borough Council's Landscape Character Assessment (2017). The key characteristics of this LCA are a prominent elevated platform, woodland cover of varying ages and a small to medium field pattern interspersed with large areas of woodland cover. The key sensitivities of this landscaped area are large mature woodlands & newer woodland plantations interspersed throughout the landscape and long & distant panoramic views to Leicester.

A site visit has not been carried out but from a google map search it appears the site has been cleared of vegetation on the western side of the access road to Home Farm. The site comprises the former storage yard used during the construction/conversion of the farm buildings previously associated with Home Farm. The horseshoe shaped clearing has mature trees on its northern, western and southern side with a pond on its south-western extremity. The site has open countryside on its western and eastern side with ribbon like residential development on the sites northern side along Markfield Road. The surrounding fields gives the site a rural character, albeit there is development to the north creates a transitional feel. The Home Farm development to the south is largely comprised of barn conversions. When viewing the Home Farm development from the A50 the site offers a green gap between the development on the A50 and Home Farm. This helps with the setting and separation of the Home Farm development, meaning it retains the original farm-yard like character separate to Bradgate Hill. The development would introduce a band of ribbon development perpendicular to the A50 which is not a characteristic of the immediate area, this would be visible from users of the A50 and associated footpaths.

Whilst the site is well screened to the west by boundary trees, it is not screened to the east and the proposal would extend the built form into the rural space, extending residential development in to the countryside that could be detrimental to the character of the area. The introduction of built form taken together with the proposed area of hardstanding for parking would lead to the domestication of this area which could be to the detriment of the rural character of the area. Further justification through indicative massing diagrams, landscaping schemes, parameters or design codes should demonstrate how this harm could be avoided or mitigated.

As outlined above, two separate schemes have been submitted as part of the enquiry. Reservations have been raised about the inclusion of the layout plans and how this fulfils the definition of a self-build development, however, comments are included for completeness. Both schemes are L shaped single storey units with accommodation in the roof, the cover letter refers to 1.5 storey units. Each option has a slight difference in GIA and each scheme has dwellings placed on site differently. Both have green roof elements with 2 parking spaces proposed for each dwelling.

The Master Plan Option preferred would be the one with the least visual impact on the character and appearance of the wider area. Masterplan 1 would likely be most suitable for limiting impact in terms of neighbouring amenity but this would depend on the internal layout and window placement for each dwelling. No details of appearance or internal layout are provided however it is expected that the proposed dwellings would be in keeping with the scale, design and materials of the existing cottages on home farm. Such details could be included within a design code.

As above the site is within the National Forest and Charnwood Forest. Policy 21 and 22 of the Core Strategy seeks to support the implementation of the National Forest and Charnwood Forest Strategy through proposed development in these areas. Development proposals should appropriately relate to the setting within the forest, respect the character and appearance of the wider countryside and not adversely affect the existing working landscape of the forest or wider countryside. The site contains tree coverage on all sides except the eastern side. From the tree schedule submitted with this application it is evident most trees would be left untouched with only 1 common ash needing to be felled.

It would be expected that any loss of tree coverage is compensated through an appropriate on site landscaping scheme and that a tree protection plan is submitted with any future application to protect all the remaining trees.

Overall, based on the submitted information, the Council have reservations about the potential detrimental visual impact on the rural character and nature of the area, contrary to Policies DM4 and DM10 of the SADMP. However, this could be overcome through consideration of careful landscaping. Furthermore we would encourage the inclusion of parameters or a design code which would steer self-build proposals to an appropriate design solution.

Impact upon residential amenity

Policy DM10 of the SADMP requires that the amenities of the occupiers of proposed developments would not be adversely affected by activities within the vicinity of the site.

Both schemes would be set away and rotated away from the principal rear windows of neighbouring residential properties.

The Good Design Guide SPD recommends garden sizes should be a minimum of 80sq metres for three bedroom houses and 60sq metres for two bedroom houses. There should be a minimum separation distance to the rear boundary of 7 metres. Looking at the proposed layout this should be achievable whilst providing a suitable sized garden similar in size to the existing cottages.

In the absence of detailed elevations and floor plans no further comments can be provided at this stage.

Highways and parking

Policy DM17 of the SADMP supports development proposals where they demonstrate that there would be no adverse impacts on highway safety and that development is located where the use of sustainable transport modes can be maximised. Policy DM18 of the SADMP seeks an appropriate level of parking provision within sites to serve the development.

The site is approximately 2km from the centre of the villages of Markfield and Groby and the maximum walking distance from services according to the Chartered Institution of Highways and Transport (CIHT) guidelines to local amenities such as shops and schools. As highlighted above there are a number of bus stops within 300m of the site.

The Local Highway Authority (LHA) has been consulted on the enquiry & have assessed the following documents:

- Pre-Application Transport Scoping Note;
- Master Plan Option 1;
- Master Plan Option 2; and

- Pre-App Report Rev B.

The access will be via the existing access that currently appears to serve two dwellings with extant permission for a further three dwellings originally granted under 15/00743/FUL. As such, the access would be required to be designed in accordance with Figure DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG). Typically, the LHA would expect to see an access width of 4.8m to enable it to serve six to 25 dwellings. A copy of the LHDG can be found at <https://resources.leicestershire.gov.uk/lhdg>.

Swept path analysis of a Phoenix 2 Series - Smooth Body RCV, EURO 5i - WIDE TRACK refuse collection vehicle would normally be requested as part of this application. However, this is not deemed necessary in these site-specific circumstances. This is because if an application was forthcoming and subsequently granted by the Local Planning Authority (LPA), as part of the consented scheme (original permission 15/00743/FUL) and subsequent S73 applications, a bin collection point was suggested along the access road near the entrance which could be utilised. This matter was highlighted within Paragraph 6.6 of the Pre-Application Transport Scoping Note.

The LHA would have to take into consideration that Markfield Road (A50) is a highly trafficked A classified road forming part of the Leicestershire County Councils (LCC's) Resilient Network and the Department for Transport (DfT) Major Road Network. Because of its importance, Bradgate Road (A50) is also listed as 'Priority 1' as part of the LHA's winter gritting route.

For information, routes considered within the LHA Resilient Network comprise diversion routes for motorways and dual carriageways or are key access roads to important infrastructure, such as hospitals, food distribution centres, power suppliers and water treatment or pumping stations. The key aim is to ensure that access is maintained on the Resilient Network for traffic at all times, wherever reasonably practicable. Further information can be found via:

<https://www.leicestershire.gov.uk/roads-and-travel/road-maintenance/the-resilient-network>

Because of the above the LHA would also have concerns that the proposals onto Markfield Road (A50) may be contrary to Policy IN5 which relates to the increase of trip on new or existing accessing on to A or B roads. However, the LHA also raises that the LHDG is currently being reviewed by LCC, with a view to the final version being available in late 2024, this includes a more risk-based assessment of IN5.

Whilst the pre-application submission has stated that the site has previous historical use as a farm which generated trips in its own right, the LHA are aware that material traffic speeds and flows have changed since the 'Highway Report' referred to in the Pre-Application Transport Scoping Note was commissioned.

Should an application be forthcoming, the LHA will base their observations upon the supplied information, it may aid the application to provide an up-to-date speed survey. This would demonstrate appropriate visibility can be achieved at the site access based on actual vehicle speeds passing the site, in line with table DG4 of the LHDG. It is advised that an automatic speed survey is undertaken as opposed to a hand radar survey. The Applicant should be advised that a permit is required to carry out any traffic count/speed survey on the public highway within Leicestershire. A permit can be obtained by contacting ndi@leics.gov.uk. Alternatively, Leicestershire County Council offer a data collection service including a large traffic count database. For details of the services available please contact ndi@leics.gov.uk

Parking provision should be provided on the basis of a minimum of two spaces for a dwelling of up to three beds and three spaces for a dwelling with four or more beds as per Paragraph 3.151 of Part 3 of the LHDG. Spaces should measure a minimum of 2.4 x 5.5 metres with an additional 0.5 metre strip for each side bound by a wall / hedge / fence etc as per paragraph 3.165 of Part 3 of the LHDG. Should garages be provided they would need to be to the dimensions set out in Paragraph 3.200 of part 3 of the LHDG in order to count as a parking space.

The site is at the maximum sustainable walking distance from local amenities such as shops, and schools and 300m from the nearest bus stop. There is however no footpath from the site connecting

it to Markfield Road. This would need to form part of any proposal so that future occupiers would not be dependent on private cars. Once provided it is considered the site would be acceptable in terms of transport sustainability.

Subject to the above considerations the proposal is unlikely to result in a significant impact on parking or highway safety in compliance with policies DM17 and DM18 of the SADMP.

Geology/Ecology

Policy DM6 of the adopted SADMP states that “*development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management.*

On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.“

The site has a number of ecological/geological designations including as a historic Local Wildlife Site, within close proximity to a Great Crested Newt breeding pond, within an Ancient Woodland consultation buffer and a Regionally Important Geological Site (RIGS).

Policy DM6 states that where specific identified sites are to be affected the following will be taken into account:

“Locally Important Sites

Development proposals affecting locally important sites should always seek to contribute to their favourable management in the long term.

Where a proposal is likely to result in harm to locally important sites (including habitats or species of principal importance for biodiversity), developers will be required to accord with the following sequential approach:

- a) Firstly, seek an alternative site with a lesser impact than that proposed;*
- b) Secondly, and if the first is not possible, demonstrate mitigation measures can be taken on site;*
- c) Thirdly, and as a last resort, seek appropriate compensation measures, on site wherever possible and off site where this is not feasible”.*

The County Council Ecologist has been consulted on the enquiry. The site has already been cleared under the previous application for the site therefore there is unlikely to be any ecological impacts provided the trees are to be retained (which is strongly recommended). Ecological enhancements should be incorporated within the scheme such as integrated bird and bat boxes and native planting. Mandatory biodiversity net gain would not apply if the buildings are self-build.

The adjacent LWS woodland habitat should be protected during the development by a suitable buffer and protective fencing.

Further advice has been sought on the sites designation as a RIGS, this has not been forthcoming in time for this pre-application response but will be issued to you on receipt. Further research will be needed on the designation of the site in geological terms. Clearly with regards to the sequential test outlined above some mitigation or appropriate compensation measures may be required.

As a self-build proposal the development would currently be exempt from the requirements of mandatory BNG.

Flood Risk and drainage

Policy DM7 of the SADMP requires that development does not create or exacerbate flooding and drainage.

The site is situated within flood zone 1 indicating a low risk of flooding from rivers and a low risk of flooding from surface water. The Borough Councils Drainage Officer has not been consulted on the enquiry but a surface water drainage system for the proposed development should incorporate sustainable drainage principles (SuDS) to mitigate the risk of flooding on the site, and ensure that surface water runoff does not increase flood risk elsewhere or that the proposed does not pollute the ponds to the SW of the site. The proposals should also include measures to address issues of water quality in accordance with current SuDS guidance. The above measures are recommended to minimise the impact of the development on flooding and drainage in compliance with policy DM7 of the SADMP.

Infrastructure Contributions

Policy DM3 of the adopted SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities. Policy 19 of the adopted Core Strategy seeks to address existing deficiencies in the quality, quantity and accessibility of green space and children's play provision within settlements.

In this case as the proposal is for only two additional dwellings therefore contributions would not be sought.

Other matters

You are advised that the collection point for domestic recycling, garden waste and refuse is from the adopted highway boundary. Please refer to the following downloads:

http://www.hinckleybosworth.gov.uk/downloads/file/2952/wheeled_bin_information_for_developers_andplanningofficers

https://www.hinckleybosworth.gov.uk/downloads/file/4647/wheeled_bin_and_container_policy_updated_march_2018

Adequate provision will need to be made for waste and recycling and storage of containers and collection for the site. A bin collection point is proposed at the entrance to the site, which is the same bin collection point as for the approved scheme 15/00743/FUL for Home Farm.

The Borough Councils Pollution team has not been consulted on the application but if the site has been used for agricultural/commercial purposes, consideration will need to be made into the potential for land contamination on the site.

Recommended Documents/Fees required supporting an outline planning application:

In light of the comments above the below requirements relate to an outline application with all matters reserved except for access, should you wish for scale and layout to be considered relevant scaled drawings will be needed.

- Application form
- Planning application fee
- Site location plan
- Detailed access plan
- Design and Access Statement
- Ecology surveys and enhancement details (as appropriate)
- Land contamination survey (as appropriate)
- Self and Custom Build Evidence Form
- Draft Unilateral Undertaking securing the plots as self-builds, this should include marketing strategies
- Tree Survey
- Landscape plan
- Existing site levels
- Parameter Plans, Design Codes, Indicative Plot layouts (as appropriate)

Conclusion:

The housing policies in the adopted Core Strategy and the adopted SADMP are 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.

The proposal does not conform to any of the criteria listed with Policy DM4. Residential development in this Countryside location would therefore conflict with Policy DM4 of the SADMP and Core Strategy Policy 13. However, weighed against this is the option of public transport and the walkability of the site from services. The site is locationally sustainable in that regard.

Some concern has been raised with regards to the proposal due to its location which would result in development which based on the information submitted would be harmful to the character and appearance of the surrounding countryside, contrary to policies DM4 and DM10 of the SADMP. Advice is given as to potential solutions for this countryside harm. There is likely to be environmental harm through the development on a RIGS site with no mitigation offered to date, these impacts are attributed moderate negative weight in the planning balance.

There are social and economic benefits through the provision of two dwellings, however, given the limited scale of development this would be attributed limited weight.

It has not been demonstrated through this pre-application that the development would be a genuine self-build scheme and therefore based on this, the limited benefits would not demonstrably outweigh the harm.

Were the Council satisfied the proposal would bring forward two genuine self-build units this is likely to be attributed moderate positive weight to the planning balance. Which if accompanied by a reduction in environmental harm could outweigh the adverse impacts and lead to a recommendation for approval.

I trust that this information is of use to you. If you have any queries on the above points, please do not hesitate to contact me.

Yours faithfully

**Chris Brown
Head of Planning
Development Management**

The above comments are initial informal officer views only and are made without prejudice to any decision the local planning authority may make in respect of a subsequent application, and are given without the opportunity to consider all the relevant issues that may arise from consultation or may be expressed by local residents and other interested parties. This letter does not constitute a decision under the Town and Country Planning Act 1990 (as amended) or other relevant legislation.

Where your proposed work requires additional consent under the Building Regulations, Hinckley and Bosworth Borough Council's Building Control Service are able to provide a quotation and advice. The Building Control Service can be contacted at buildingcontrol@hinckley-bosworth.gov.uk to arrange a quote.