

Planning Statement.

New dwelling to rear:

**229 Leicester Road,
Markfield,
Leicestershire**

- 1.0 Context**
- 2.0 Design Statement**
- 3.0 Conclusions**
- 4.0 Policies**

This planning statement supports a planning application for a new dwelling. Site, location, and floor plans accompany the application separately.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 1

1.0 Context

This application is for a new dwelling to the rear of 229 Leicester Road, Markfield. Access is via private drive to the side of the property.

A house adjacent has previously been approved to the rear of 223a Leicester Road in a similar position.

The existing dwelling is a 1.5 storey detached house with three bedrooms. It is not listed, not in a conservation area, and it is not in an area listed of possible flooding.

There is ample garden and amenity space to the rear and front. There is existing off road parking to the front.

There is easy access links nearby to Markfield, Leicester and the surrounding areas. It is within walking distance of the facilities, services, and transport links within Markfield.

The site is mostly level with established trees and hedges to the boundaries.

Topographical, tree surveys, and BNG reports are included with the application.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 2

2.0 Design statement

The proposal is for a 1.5 storey detached traditional dwelling to match the scale and design of the existing and of the area. The height has been kept lower than a typical two storey house.

There would be two first floor, and one ground floor bedroom to allow for flexible, sustainable multi generational use.

Materials will match the existing.

The new dwelling is sufficiently distant from the existing houses and also screened by the established trees.

The positioning has been designed around the tree survey and to protect the main trees on the site. Foundation type would be of a type to account for the trees.

First floor windows are positioned to not overlook the closest houses.

A detached garage, and ample parking and turning space is provided.

Ample garden space is provided.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 3

The vehicle access onto Leicester Road is safe with ample visibility.

It is believed that the proposal -

- Is in a suitable and sustainable location
- Will not adversely affect or impact the local character and amenity
- Will not adversely affect any neighbour.
- Raises no highway safety issues.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 4

3.0 Conclusions

The proposed high quality residential dwelling is fully in keeping with the setting and surroundings.

There would be no negative impact on the neighbourhood or the neighbours.

The location is both accessible and sustainable.

The design is such to minimise the ecological impact.

The dwelling adds to the numerical need for dwellings.

The application is considered to accord with the Development Plan and the NPPF when taken as a whole, and there are no other material considerations that indicate that planning permission should be refused.

The applicant is willing to work with the council to achieve approval of the scheme.

3.0 Policies

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 5

Planning policies potentially applicable.

National Planning Policy Framework

NPPF states that the purpose of the planning system is to contribute towards the achievement of sustainable development - at a very high level the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The planning system has 3 overarching objectives which when combined determine sustainable development. An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 6

Section 38 of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

The site is located in Hinckley and Bosworth Borough, where the Development Plan comprises the Local Plan 2006-2026. This consists of the Core Strategy and the Site Allocations and Development Management Policies Development Plan Document.

Core Strategy

The Core Strategy was adopted in December 2009 and provides the overarching strategy and vision for growth in the Borough up until 2026. The Core Strategy was prepared to deliver the strategy identified in the now revoked East Midlands Regional Plan. It was also prepared and adopted prior to the publication of the original National Planning Policy Framework (NPPF) and revisions to it.

Spatial Strategy

Section 4 of the Core Strategy sets out the spatial strategy for the Borough and explains that there are four Main Settlements: Hinckley, Burbage, Barwell and Earl Shilton. The Strategy recognises Hinckley as a sub-regional centre where the majority of development within the plan period should be focused, but that all four settlements work together as an 'urban area' with clear linkages.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 7

Section 4 explains that Markfield is one of the Key Rural Centres that are next in the settlement hierarchy. The Key Rural Centres are villages with a population of over 1,500 people with existing facilities (such as a primary school and local shop).

Policy 7 relates to the Key Rural Centres and states that the Council will, among other things:

support housing development within settlement boundaries that provides a mix of housing types and tenures.

Key Rural Centres Relating to Leicester

Policy 8 establishes the strategy for the Key Rural Centres which relate to Leicester, which comprise Desford, Groby, Ratby and Markfield.

In relation to Markfield Policy 8 states that the Council will ensure local people have access to a range of housing.

Policy 14 relates to transport in rural areas. The policy seeks to support the accessibility of rural areas, including the delivery of a viable, high quality public transport network between Key Rural Centres and the nearest urban centre and between the rural villages and Key Rural Centres. It also supports the delivery of safe cycle paths in rural areas.

Site Allocations and Development Management Policies DPD

The Site Allocations and Development Management Policies DPD ("SADMP") was adopted in July 2016 and allocates land to deliver the development requirements in the Core Strategy. It also sets out a series of development

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 8

management policies used when determining planning applications in the Borough.

Development Management Policies

The Presumption in Favour of Sustainable Development

Policy DM1 sets out a presumption in favour of sustainable development based on the original NPPF (2012).

Policy DM1 states that where relevant policies are considered “out of date”, *“then the Borough Council will grant permission unless material considerations indicate otherwise, taking into account whether:*

Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when accessed against the policies in the National Planning Policy Framework taken as a whole;

Policy DM4 relates to safeguarding the countryside and settlement separation. The policy seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside by safeguarding it from unsustainable development. The policy lists the situations in which development in the countryside is considered sustainable where:

It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and

ii. It does not undermine the physical and perceived separation and open character between settlements; and

iii. It does not create or exacerbate ribbon development;

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 9

Policy DM6 relates to the enhancement of biodiversity and geological interest. The policy seeks to ensure that development proposals conserve and enhance features of nature conservation, and requires major development proposals to include measures to deliver biodiversity gains. The policy states that on site features should be retained, and that the removal or damage of features should be mitigated for so that the proposal results in no net loss of biodiversity. It confirms that if harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

Policy DM7 relates to the prevention of pollution and flooding. The policy requires that development proposals demonstrate compliance.

Policy DM10 relates to development and design. The policy sets out a number of requirements for new development, including:

- a) development should not have a significant adverse effect on the privacy and amenity of nearby residents, and that occupiers of the proposed development should not be adversely affected by activities in the vicinity of the site;
- b) it complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features;
- c) the use and application of building materials respects the materials of existing buildings and the local area;
- d) development incorporates a high standard of landscaping;

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 10

- e) development maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction;
- f) that electric charging points are included where feasible where parking is proposed;
- g) that a Sustainable Drainage Scheme is included in the application submission which permeable paving where appropriate; and
- h) that development maximises natural surveillance and incorporates the principles of Secured by Design.

Policy DM17 relates to highways and transportation. The policy states that development proposals will be supported that:

- a) seek to make the best use of existing public transport services;
- b) seek to ensure convenient and safe access for walking and cycling to services and facilities;
- c) demonstrate that the development will not have a significant adverse impact on highway safety;
- d) ensure the development is located where sustainable transport modes can be maximised and the need to travel is minimised; and
- e) demonstrate that the residual cumulative impacts of development on the transport network are not severe.

Policy DM18 relates to vehicle parking standards. The policy states that development proposals should provide an appropriate level of parking provision that is justified by an assessment of the site location, type of

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 11

housing, and access to other modes of transport (including public transport and the cycle network).

Other material considerations relevant to assessing the planning potential of the site include the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), emerging policy and any relevant supplementary planning documents.

The National Planning Policy Framework (NPPF) was published in March 2012 and subsequently revised in July 2018 and February 2019. The NPPF provides guidance for local planning authorities and decision-takers, both in drawing up planning policy and making decisions about planning applications.

The Presumption in Favour of Sustainable Development and the Tilted Balance

Underpinning the NPPF is a presumption in favour of sustainable development. This reflects a desire for the planning system to positively and proactively support sustainable development proposals rather than act as an impediment to development.

Paragraph 11 states how the presumption in favour of sustainable development should be applied for both plan-making and decision-taking. For decision-taking, the paragraph states that this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 12

d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in [the NPPF] that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Footnote 6 Footnote 6 of the NPPF clarifies those policies in the Framework which could provide a 'clear reason' for refusing the development proposed in accordance with Paragraph 11 d) i.

Footnote 7 clarifies what "out-of-date" can mean in relation to the application of the presumption. It states that:

"for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."

The revised NPPF continues to focus on the delivery of the Government's core objective of boosting significantly the supply of new homes, as set out in Section 5. Paragraph 73 requires LPAs to *"identify and update annually*

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 13

a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old". It explains that the supply of specific deliverable sites should include an appropriate buffer.

At paragraph 47, the NPPF emphasises that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development of healthy and inclusive communities is pursued in Section 8 of the NPPF.

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which: Promote social interaction; Are safe and accessible; and enable and support healthy lifestyles.

Chapter 9 relates to the promotion of sustainable transport. Development proposals are directed towards sustainable locations, with an emphasis on ensuring that opportunities to promote walking, cycling and public transport are optimised. It also states that 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.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 14

Chapter 12 relates to the creation of well-designed places. The chapter explains that achieving high quality and places is fundamental to the planning system, and that *“good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities.”* At paragraph 127, the NPPF states that developments 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...”*

Chapter 15 of the NPPF includes policy which seeks to conserve and enhance the natural environment.

Paragraph 170 seeks to do so by protecting sites of biodiversity value, commensurate with their status, recognising the intrinsic character and beauty of the countryside and wider benefits including the economic and other benefits of best and most versatile agricultural land and trees and woodland. It also seeks to minimise impacts on and provide net gains for biodiversity, prevent new and existing development from contributing to, being put at unacceptable risk from or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 178 establishes that decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 15

(as well as potential impacts on the natural environment arising from that remediation);

Paragraph 180 confirms that decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

The Planning Practice Guidance (PPG) was originally published in March 2014 and is a web based resource that aids the interpretation of policies contained in the NPPF through the provision of detailed guidance.

HBBC Good Design Guide SPD

HBBC appointed urban designers, Node, to produced 'The Good Design Guide' which was adopted by HBBC as an SPD in March 2020.

The Design Guide seeks to raise design quality in the Borough whilst ensuring that the local identity and heritage of the Borough is preserved and enhanced. The document provides guidance for masterplanning and residential design and includes a short design assessment of Markfield.

HBBC adopted an Affordable Housing SPD in February 2011.

The Council is preparing a new Local Plan, which when adopted, will form part of the statutory

Development Plan for the Borough.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 16

An initial 'Scope, Issues and Options' consultation was held by HBBC between January and February 2018. The Scope, Issues and Options paper confirmed that the new Local Plan will establish a spatial strategy for the distribution of growth over the plan period. The paper identified five potential options for the spatial strategy.

The Council has also consulted on a document titled 'New Directions for Growth' between 7 January 2019 and 3 March 2019. The consultation document reflected on the responses received to the Scope, Issues and Options paper, and considered where future growth in the Borough should be directed to.

The 'New Directions for Growth' consultation identified three potential 'Broad Areas for Growth' outside of the main urban area. One of the 'Areas for Growth' identified by the Council is in the north east of the Borough where there are good connections to Leicester (i.e. around Markfield and the surrounding area). The consultation document acknowledged that as part of the Review the Council will need to consider its local housing need applying the 'standard method' in national policy and recognised that the Borough may need to accommodate some of the housing need from Leicester City.

HBBC published its latest Local Development Scheme (LDS) in July 2020. The LDS sets out the timetable for the preparation of emerging planning policy. The LDS suggests that the target for consultation on a draft Plan will be March-April 2021, with submission to Secretary of State targeted in

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 17

September 2021 and Examination expected to commence in January 2022.

The LDS also confirms that the Local Plan Review will now cover the period to 2039.

The Markfield Neighbourhood Development Plan was published in draft on 7 September 2020 for Regulation 14 consultation.

Regulation 14 version of the Plan proposes to identify a requirement for 241 new dwellings in Markfield in the period to 2036 to be met on allocated sites in the emerging Neighbourhood Plan.

A consortium of Local Authorities in Leicestershire published the non-statutory Leicester & Leicestershire Strategic Growth Plan in December 2018. The Strategic Growth Plan sets out the aspirations for growth and development in the county for the period to 2050.

The Plan seeks to strengthen Leicester's role at the centre of the city region. The Plan recognises that Leicester is unable to meet its objectively assessment need (OAN) for housing within the authority area in the period to 2031 and that Oadby and Wigston Borough is also unlikely to be able to meet its needs in the period 2031 - 2036. The SGP sets out 'notional' figures in terms of how the housing needs within the HMA could be met in and distributed between the adjoining authorities including HBBC. However, this analysis pre-dated the publication of the 'standard method' and the draft Leicester Local Plan.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 18

Following the publication of the draft Leicester Local Plan in September 2020, a Joint Position Statement relating to Leicester's Housing and Employment Land Needs was published by the Leicestershire Authorities. This confirms that the draft Leicester Plan identifies a potential unmet need of 7,742 homes.

It explains that a Statement of Common Ground setting out how any unmet need from Leicester will be re-distributed amongst the other HMA authorities is being prepared which is intended for completion in early 2021. However, the Position Statement acknowledges that should the Government make changes to the 'standard method' for calculating housing need, following its recent 'Changes to the Current Planning System' consultation, this could have implications in terms of housing needs and their distribution within the HMA.

The Council has published a Housing Needs Survey which has been prepared to provide evidence to support the preparation of the emerging Local Plan Review process. The Housing Needs Study, prepared by JG Consulting concludes that: overall local housing need for HBBC was 457 new homes per annum (using the standard method); the main need for both market and affordable housing is for 2 and 3 bedroomed houses.

Calculations indicate that the current standard method (using 2014-based household projections, as advised by Planning Practice Guidance), results in a local housing need of 452 dwellings per annum as at November 2020.

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 19

In August 2020, the Government consulted on its 'Planning for the Future' White Paper which proposed an extensive package of reforms to the planning system aimed as 'streamlining' and 'modernising' the planning process and ensuring more land is available for development where it is needed.

Section 38 of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

The Framework tells us that LPAs should approach decision-making in a positive and creative way, seeking out solutions rather than problems, to foster the delivery of sustainable development. It also confirms that decision-makers at every level should seek to approve applications for sustainable development where possible. It directs that in assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development set out at paragraph 11d) of the NPPF. As the starting point this means approving development proposals that accord with the development plan without delay or where the policies "*most important for determining the application are out-of-date*", then permission should be granted unless: *the application of policies in [the NPPF] 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*

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 20

significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

The Borough's Core Strategy was adopted in December 2009 to cover the period from 2006 to 2026. It is nearly 11 years old and was prepared in the context of and to deliver the scale of housing need identified in the now revoked East Midlands Regional Spatial Strategy. It was also prepared prior to the introduction of the original NPPF in 2012 and subsequent revisions to it. Indeed in determining a number of recent housing applications, despite stating that it is able to demonstrate a 5.15 year supply of deliverable housing land, HBBC itself has confirmed that the policies most important for determining such applications on the edge of Key Rural Centres (including Policy 7, 8 and DM4) are based on an out-of-date housing requirement, which is slightly lower than that required by the standard method. As a result, the Council has concluded that the tilted balance set out at paragraph 11 d) of the NPPF is engaged.

It is considered that the policies most important for determining this application are out-of-date and the presumption in favour of sustainable development is engaged. In this case, there are no policies in the Framework that protect areas or assets of particular importance that would provide a clear reason for refusing the development proposed. This means that planning permission should be granted unless any adverse impacts of doing so would "*significantly and demonstrably outweigh the benefits, when assessed against the Framework taken as a whole*".

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 21

Project: 229 Leicester Road, Markfield, Leicestershire

Date : February 2025

Ref : 229LR/2025

Rev: -

Page 22