

Planning Statement

Erection of a single storey rear extension and retention of existing timber shelter

**The Oaks, Main Street, Botcheston,
Leicestershire, LE9 9FF**

Client Name: Mr Robert Beaumont

Date of Issue: May 2023

Local Authority: Hinckley and Bosworth Borough Council

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Appendices

Appendix 1 - Photograph of the site

1.0 INTRODUCTION, SITE DESCRIPTION AND PROPOSAL

- 1.1 This Planning Statement has been prepared on behalf of Mr Robert Beaumont in support of a planning application for the erection of a single storey rear extension and the retention of an existing timber shelter at The Oaks, Main Street, Botcheston.
- 1.2 This statement should be read in conjunction with the accompanying documents which include:
- Plans and drawings prepared by R3Design;
 - Application form.
- 1.3 This statement describes the application site, the locality and comments on the relevant Development Plan and national policy framework policies. It goes onto provide an assessment of the proposal in relation to the relevant policies.
- 1.4 The existing application site consists of a two storey residential property that is set back from Main Street by around 60 metres. A detached building consisting of a garage and store with accommodation above is located to the south east of the existing dwelling. Access to the site is from Main Street and this would remain unaffected by the proposed development.
- 1.5 The proposals consist of the erection of a single storey rear extension in order to provide a kitchen/dining area. The extension would measure 8.99 metres in width, 5.39 metres in length and would have a flat roof measuring 3.32 metres in height. The materials of the proposed extension consist of aluminium bi-fold doors, aluminium/timber windows and timber/composite horizontal cladding.
- 1.6 The proposals also include for the retention of a timber shelter that is located to the rear of the dwelling. The timber shelter measures 3.7 metres in length, 7 metres in width and has a hipped roof measuring 2.1 metres in height to the eaves and 2.75 metres in height to the ridge. The shelter is open sided on its front and side elevation and clad with timber on the rear and other side elevation. The shelter has a graphite roof slate tile.

2.0 PLANNING HISTORY

2.1 The site has been subject to the following planning applications:

ERECTION OF ONE DWELLING

Ref. No: 08/00023/FUL | Status: Refused

ERECTION OF ONE DWELLING

Ref. No: 08/00843/FUL | Status: Planning Permission

Change of use of land to form part of the existing residential curtilage including demolition of outbuilding and reconstruction of garage and store

Ref. No: 14/00446/COU | Status: Planning Permission

Proposal for a lake no larger than 980 square metres to be used for horticultural purposes.

Ref. No: 23/00333/AGDO | Status: GDO Prior Approval Refused

Continued use of land as residential garden and retention of machinery shed and summer house

Ref. No: 23/00502/CLE | Status: Pending Consideration

3.0 MAIN ISSUES

- 3.1 Section 70(2) of the Town and Country Planning Act 1990 requires that when dealing with an application for planning permission, Local Planning Authorities must have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section S38(6) of the Planning and Compensation Act 2004 requires that decisions on planning applications should be made in accordance with the policies of the development plan unless material considerations indicate otherwise.
- 3.2 Having regard to the above, it is considered that the main issues raised by the application are:
1. Principle of the development
 2. Design and visual amenity
 3. Residential amenity
 4. Highway safety and off-street parking
 5. Other matters
- 3.3 The main planning policies that are relevant to these main issues are included in Section 5.0 below.

4.0 PLANNING POLICIES

- 4.1 The (revised) National Planning Policy Framework (2021) (NPPF) confirms that it does not change the statutory status of the development plan as the starting point for decision making. It also confirms its status as a material consideration in determining planning applications. The NPPF continues to advise that proposed development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF also advises that due weight should be given to development plan policies 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).
- 4.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, an application for planning permission should be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 4.3 The policy context for this application is provided by the development plan and national planning policy in the NPPF as well as Planning Practice Guidance issued in April 2014 (as subsequently amended) (PPG). The development plan includes the Core Strategy (adopted 2009) (CS), the Site Allocations and Development Management Policies DPD (adopted 2016) (SADMP) and the Desford Neighbourhood Plan (adopted 2020).
- 4.4 Those policies which are the most important for determining this planning application are set out below:

Core Strategy (2009)

- 4.5 No relevant policies.

Site Allocations and Development Management Policies DPD (2016)

- 4.6 *Policy DM1 – Presumption in Favour of Sustainable Development* repeats the presumption in favour as found in the Framework.
- 4.7 *Policy DM10 – Development and Design* provides a series of design-based criteria to which new development is required to meet.
- 4.8 *Policy DM18 – Vehicle Parking Standards* confirms that new development proposals will be required to provide an appropriate level of parking provision justified by assessment.

Desford Neighbourhood Plan (2020)

- 4.9 *Policy H7: Housing Design* states that new dwellings will need to enhance and reinforce local distinctiveness, provide adequate off road parking, reflect the character and historic context of existing developments, enhance biodiversity, enclose plots with suitable materials, use sustainable design and construction techniques, have appropriate lighting, incorporate SUDS and be of an appropriate density.

The National Planning Policy Framework 2021 (NPPF)

- 4.10 At the heart of the NPPF is a presumption in favour of sustainable development. There are three overarching objectives which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives. These are an economic objective, a social objective, and an environmental objective. The economic objective seeks to ensure sufficient land of the right types is available in the right places at the right time to support growth. The social objective seeks to support strong, vibrant, and healthy communities by ensuring a sufficient number and range of homes can be provided to meet the needs of the present and future generations and by fostering a well-designed and safe built environment. The environmental objective seeks to contribute to protecting and enhancing our natural, built, and historic environment, including making effective use of land.
- 4.11 Amongst other things, paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and that for decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay.
- 4.12 Paragraph 47 of the NPPF indicates that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.
- 4.13 Paragraph 111 of the NPPF 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.
- 4.14 Paragraphs 126, 127, 128 and 130 of the NPPF seeks to achieve well-designed places. It states the creation of high-quality buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to live. Planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture,

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

- 4.15 Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 167 states that Local Planning Authorities should ensure that flood risk is not increased elsewhere when determining planning applications.

Other Policy and Guidance

- 4.16 Although not having the formal status and weight of adopted planning policy there are a number of other pieces of guidance relevant to decision-making within Hinckley and Bosworth including:

- National Planning Practice Guidance - March 2014 (as amended)
- Good Design Guide SPD – 2019
- The Conservation of Habitats and Species Regulations 2017
- Circular 06/05 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System
- National Forest Strategy 2014-2024
- National Design Guide – October 2019
- Leicestershire Highways Design Guide (Leicestershire County Council)

5.0 PLANNING ASSESSMENT

The principle of development

- 5.1 The site is an existing residential dwelling located within the settlement boundary of Botcheston. Extensions and alterations to existing domestic properties within settlement boundaries are generally considered to be sustainable development. There is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP. On this basis, the principle of the development is deemed to be acceptable.

Design and visual amenity

- 5.2 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and for rear extensions states:

'Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.'

- 5.3 As can be seen from the submitted plans, by virtue of their single storey scale, roof design, appropriate width, depth and height, the proposed single storey extension and existing timber shelter would clearly appear as subordinate additions to the existing dwelling and would respect its scale and character.
- 5.4 A contemporary palette of materials have been selected for the proposed rear extension in order to provide a contrast to the existing building. The materials would consist of aluminium bi-fold doors, aluminium/timber windows and timber/composite horizontal cladding. The existing shelter is constructed in timber which is deemed an appropriate material at the rear of the property with the countryside located to the south of the application site.
- 5.5 The existing building is set in an un-prominent location set back from Main Street by around 60 metres and with a number of buildings intervening that screen the development proposals site. On this basis it is clear that the proposals would have no impact on the street scene and no impact on the character and appearance of the surrounding area.
- 5.6 Therefore, the proposal is considered to be in accordance with Policy H7 of the 'made' DNP, Policy DM10 of the adopted SADMP, the Council's Good Design Guide and the advice contained in the NPPF.

Impacts on Residential Amenities

- 5.7 The closest residential dwelling would be located to the north east and would be sited around 22 metres away from the proposed extension. However, the existing dwelling would completely screen the development from the adjacent dwelling.
- 5.8 By virtue of the siting, single storey scale, design, ground levels and separation distances to surrounding residential properties, the proposals would not result in any significant overlooking, overbearing or overshadowing issues.
- 5.9 Having regard to the above, the proposals would not have a significant impact on the living conditions of occupiers of nearby dwellings. Therefore, the proposal is considered to be in accordance with therefore considered to be in accordance with Policy DM10 of the adopted SADMP, the general principles of the adopted Good Design Guide and the advice contained in the NPPF.

Highway Safety

- 5.10 The proposal would not result in the provision of any additional bedroom space or have any impact on the existing off-street parking spaces available within the site which serve the dwelling. The existing car parking provision on the site is adequate to serve the existing dwelling and would remain unaffected.
- 5.11 Overall, therefore the highway safety and car parking aspects of the scheme are considered acceptable. The proposal is considered acceptable in relation to Policy H7 of the 'made' DNP, Policy DM18 of the adopted SADMP, the adopted highway authority design guidance and advice in paragraph 111 of the NPPF.

Other Matters

- 5.12 The application site does not contain any trees which are protected by a Tree Preservation Order and the site is not located in a Conservation Area. There are no trees on the application site that would be affected by the proposed development.
- 5.13 The site lies within Flood Zone 1 (which has the lowest risk of flooding) and is at a low risk of being impacted by surface water flooding as defined on the Environment Agency's Surface Water Flood Maps.

6.0 CONCLUSIONS

- 6.1 At the heart of the NPPF is a presumption in favour of sustainable development such that development proposals that are in accordance with the development plan should be approved. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Section S38(6) of the Planning and Compensation Act 2004 requires that any decision on a planning application (or appeal) should be made in accordance with the policies of the development plan unless material considerations indicate otherwise.
- 6.2 In conclusion, the proposal is in accordance with the relevant policies of the development plan and it is also in accordance with the NPPF taken as a whole and the presumption in favour of sustainable development. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal and any outstanding concerns that the Council might have are capable of being addressed by negotiation and/or the imposition of conditions.
- 6.3 In accordance with S38(6) of the Planning & Compensation Act (2004), S70(2) of the Town & Country Planning Act (1990) (As Amended) and the advice throughout the NPPF and PPG, planning permission should be granted in accordance with the terms of the application.

Appendix 1 - Photograph of Site

