

**Ms Hannah Hufford**

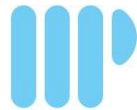
## **PLANNING, DESIGN & ACCESS STATEMENT**

**Proposed Self-Build Dwellinghouse**

**Shericles Farm, Kirkby Road, Desford, Leicester, LE9 9JX**

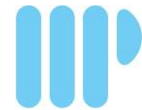


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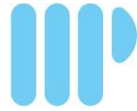
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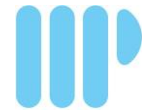
## 1 INTRODUCTION

- 1.1 This Planning Statement (“the Statement”) is on behalf of our client Ms Hannah Hufford (“the Applicant”) and accompanies a Full Planning Application for a bespoke Self-Build Dwellinghouse with associated parking and landscaping at Shericles Farm, Kirkby Road, Desford, Leicester, LE9 9JX (“the Site”).
- 1.2 This full planning application follows a pre-application process which included a site appraisal, and on-site discussions to walk through the proposals both internally and in its wider context.
- 1.3 The application is accompanied and supported by a Self-Build Needs Assessment, prepared by our in-house Socio-Economic Team, the report indicated the Council is failing to meet demand for self-build and custom house building units despite registered interest. The assessment also includes details of recent appeal decisions in which substantial and significant weight is, and should be, attributed to delivering self-build units where there is unmet need and unmet supply for this housing type.
- 1.4 This application is accompanied by a full suite of planning drawings, prepared by Design Studio Architects, and supporting technical reports as listed below:
  - **Arboricultural Survey, Impact Assessment & Method Statement**
  - **Design Statement**
  - **Landscape Visual Impact Assessment**
  - **Preliminary Ecological Appraisal**
  - **Self-Build Need Assessment**
  - **Transport Statement**



1.5 This Statement is structured as follows:

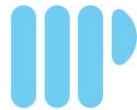
- In **Section 2** we set out a description of the site, and its context to surroundings;
- In **Section 3** we present the proposed development;
- In **Section 4** we identify the planning policy context against which the application proposals fall to be considered;
- In **Section 5** we undertake a planning and sustainability assessment against relevant considerations;
- In **Section 6** we set out our conclusions.



## **2 SITE CHARACTERISTICS AND CONTEXT**

- 2.1 The application site is located outside of the settlement boundary of Desford, and access is achieved via Kirby Road. The site is well screened and visually contained by significant existing and mature trees and hedgerows.
- 2.2 The existing development on the site consists of a 2.5-storey farmhouse featuring a dual-pitched, gable-ended main roof. It is complemented by a series of additions with dual-pitched roofs at two-storey, 1.5-storey, and single-storey heights. Surrounding the farmhouse is a courtyard complex formed from converted outbuildings, similarly constructed with single-storey structures and dual-pitched roofs.
- 2.3 The site has previously benefited from planning permissions for various extensions, including a two-storey rear extension and a single-storey rear and side extension incorporating an indoor swimming pool.
- 2.4 The main building and outbuildings are finished in red rustic facing brick with slate roofs, and feature cream-coloured windows and doors. The swimming pool extension, located at the northwest corner of the complex, stands out with its white rendered finish and flat roof design.
- 2.5 The site does not fall within or near to any Conservation Areas and nor are there any nearby Listed Buildings. It is therefore considered that development of the site would not result in any heritage consequences and the statutory duties under Section 66 and under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 would not be engaged. Shericles Farm complex has architectural features of merit, and may have some historic value, however it is not recognised as a locally listed building.
- 2.6 The site is located within Flood Zone 1 and is therefore at the lowest risk of flooding.



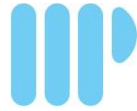


*i. Planning History*

2.7 The planning history for the site is summarised in the table below.

Ref No.	Description	Date of Decision	Decision
16/00409/HOU	Two storey rear and single storey rear and side extension including indoor swimming pool	4 Jul 2016	Permitted
23/00952/HOU	Conversion of existing garages and office to form an ancillary annexe with associated alterations and single storey courtyard extension to form utility room	16 Nov 2023	Permitted

***Table 1 – Planning history of the site***



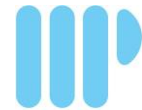
### 3 PROPOSED DEVELOPMENT

3.1 The proposed development is for the construction of a self-build dwellinghouse within the established curtilage of the Shericles Farm complex. The proposal constitutes the following:

- **Creation of a secondary plot which would be occupied by a bespoke two storey dwellinghouse, designed specifically by our client;**
- **Creation of associated curtilage and private garden amenity space;**
- **Associated parking and turning area; and**
- **Additional landscaping and planting.**

3.2 The proposal is for a self-build unit that has been specifically designed by our client for their own family needs within the setting of her childhood family home, Shericles Farm.

3.3 The proposal has been shaped following engagement with the LPA via the pre-app process. Throughout this report extracts from pre-app advice are set out (highlighted in blue boxes).



## 4 RELEVANT PLANNING POLICY

- 4.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, an application for planning permission should be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 4.2 We have carried out a policy assessment and the proposal has been designed whilst paying regard to the National Planning Policy Framework (NPPF) 2024 and to the following relevant policies from the Local Development Plan which comprises the Hinckley & Bosworth Borough Council Local Plan 2006 – 2025 (July 2016) – Site Allocations and Development Management Policies DPD.

### Hinckley & Bosworth Borough Council Local Plan 2006 – 2026 (July 2016) – Site Allocations and Development Management Policies DPD

- 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: Highway Design
- Policy DM18: Vehicle Parking Standards

### Relevant Supplementary Planning Documents:

- Good Design Guide SPD
- Landscape Character Assessment (LCA) (2017)
- Landscape Sensitivity Assessment (LSA) (2017)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Leicestershire Minerals and Waste Local Plan (LMWLP) (2019)





## 5 PLANNING ASSESSMENT

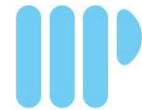
### *i. Principle of Development*

- 5.1 The pre-application response from the Council contained a significant section relating to matters around principle of development. In direct response to the Council's advice, this section seeks to reassure Officers following concerns raised within the authority's response. The summary of the response regarding the Principle of Development is summarised below:

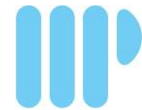
*The application site is physically separate and remote from the identified settlement boundaries of, and the services and facilities within, Desford, whereby the future occupiers of the scheme are dependent on private motorised travel to meet their day-to-day needs. Given the above, the proposal is in an unsustainable location and represents the development of a new and unjustified isolated home in the countryside. This is considered to cause significant harm to the environment, and the intrinsic value, beauty, open character, and landscape character of the countryside in principle. By virtue of these factors, the proposal is considered to be unacceptable in principle, and contrary to, and in conflict with, the overarching sustainable ambitions of the NPPF, including Key Policy Paragraphs 84, 115, 129, and 135, Policies DM4 and DM17 of the SADMP, HDM Policy 1 of the LHDG, the Council's Good Design Guide, and the National Design Guide, subject to the assessment of all other material considerations.*

### Development within an Established Curtilage

- 5.2 The existing complex of Shericles Farm is located within a well-established and visually contained site. The site is experienced as converted former farm buildings within a spacious setting with garden grounds and further fields to the north. The site is experienced as secluded due to the heavily vegetated boundaries and tree cover. Although there are filtered views of open countryside the presence of built form and modern housing is visible as the site is within walking distance to Desford.
- 5.3 The heart of policy DM4 of the adopted Site Allocations and Development Management Policies DPD 2015, seeks to protect encroachment into open countryside, limited developments impact on the intrinsic open value, beauty and open character of the landscape.



- 5.4 It is unreasonable to argue that the proposal would result in any in-principal harm when the nature of self-build is to allow people to build their dream home, and owing to the nature of the setting, this is often in countryside surroundings. This has been established under Case Law with numerous self-build units granted permission in countryside.
- 5.5 The application site would not form an isolated development, the site is in fact an established residential plot, with a large, detached dwelling, extensive residential curtilage, which includes well maintained garden areas and parking facilities. The setting itself is residential in nature and would not be an unsustainable development in open countryside.
- 5.6 From a land use perspective, the site technically is classified as countryside under the Council's Proposal Map as it lies outside the settlement boundary of Desford. However, any credible assessment of the site must consider that the development is located within a visually contained pocket of land already in use as residential curtilage of Shericles Farm. As such, it should be viewed that the development would not represent an isolated home in open countryside, forming an unsustainable development, but would be sympathetically related to the setting of the existing complex of built form, which are in residential use. Whilst not in accordance with the stringent stipulations of Policy DM4, the policies overarching aims are still achieved from this development.
- 5.7 The proposed development results in no encroachment or development within the open countryside, nor does it impact the intrinsic value and beauty of the landscape, as it is located within the visually contained curtilage of the existing residential farm complex.
- 5.8 Overall, the principle of development within this location specifically is wholly acceptable. The spacious grounds surrounding the existing complex is sufficient in accommodating a bespoke self-build dwellinghouse, without causing any detrimental impact to the countryside or settlement separation, and whilst providing a self-build dwellinghouse which is easily accessible to the neighbouring settlement, contributing to unmet need.



- 5.9 It should also be considered that development within the existing curtilage could be established under various avenues within The Town and Country Planning (General Permitted Development) (England) Order 2015. Whilst it is the advice from the Council that built development within this location would impact the character of the area, a significant amount of built form could be established without planning permission.
- 5.10 Under Schedule 2, Part 1, Class E, and given the extensive curtilage of the property, an outbuilding could be constructed of a scale far exceeding the proposed development size. This level of built form, whilst not visually intrusive due to the contained nature of the site, would be less proportionate than the proposed self-build dwelling.
- 5.11 The Council has taken the view that the development would detrimentally impact the landscape character of the area, contrary to Policy DM4. A Landscape Visual Impact Assessment (LVIA) has been conducted as part of this formal application to evidence and provide assurance to Officers that no impact would be observed externally to the visually contained site.

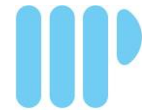
#### Housing Land Supply

- 5.12 The Council acknowledged within the pre-application response that the current position in relation to housing land supply is unlikely to evidence 5 years. The summary of the response from Officers in relation to housing land supply is shown below.

*To summarise, it is unlikely that the Council will be able to demonstrate a five-year supply of land for housing once the revised Five-Year Housing Land Supply position is published.*

*In light of this, and due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered whereby planning permission should be granted unless 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 and having particular regard to key policies.*

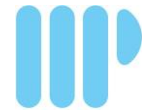
*Although the Council is unable to deliver a five-year supply of land for housing, the small provision of one dwelling is a minor benefit to the Council's supply of housing that attracts limited weight in the planning balance.*



- 5.13 From the pre-application response it is identified by Officers that the construction of one dwelling would be a minor benefit and would attract limited weight in the planning balance. The *tilted balance* is addressed within the principle section of this report, and it is agreed that a degree of weight should be afforded to a new dwellinghouse in addressing the Councils shortfall and unmet need. It is considered that whilst there is a degree of in-principle conflict with Policy DM4, the impact of this is minor with the site-specific conditions and the overarching aims of the policy. As such the weight attributed to the construction of one unit outweighs any perceived harm.
- 5.14 The Borough's housing supply is failing to meet local need and it is considered that the provision of an additional dwelling to the supply should be afforded significant weight. Paragraph 61 of the NPPF 2024 confirms the government's objective of boosting supply. The contribution, albeit small, still constitutes a dwelling to the supply and as such should be viewed favourably and not minimised in its importance. The nature of the dwelling, being a self-build unit, is also reasonably assumed to be able to be delivered in a shorter timeframe, given it is for the applicants' personal future home.
- 5.15 The Council is in agreement regarding their lack of housing provision, which in turn engages Paragraph 11d of the NPPF 2024, which states, "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination".

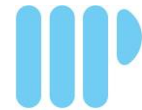
#### Self-Build under-delivery

- 5.16 The NPPF (2024) defines custom and self-build housing as: "Housing built by an



individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-Build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act”.

- 5.17 Self-build and Custom Housebuilding Act (2015) states that:
- 5.18 “(A1) In this Act “self-build and custom housebuilding” means the building or completed by – (a) individuals, (b) associations of individuals, or (c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals.
- 5.19 (A2) But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person”.
- 5.20 As part of the pre-application submission, the applicant commissioned a Self-build and Custom Housebuilding Assessment. Within the original assessment it was confirmed that, at the time of writing, that the Council had a shortfall in its supply of self-build and custom houses. This shortfall and the provision under a formal application was identified to be afforded significant weight, particularly in the absence of any identifiable future supply to meet unmet need.
- 5.21 The Councils response, alongside raising concerns with the Beacon Review related data for calculating need, confirmed that the “Council has supplied fewer suitable cumulative permissions than the cumulative demand for self-build and custom house-build dwellings” and went on to confirm that this “results in a modest shortfall of five self-build and custom house-build dwellings” within base period 9.



- 5.22 The Council whilst acknowledging that there is unmet need, are of the view that the provision of one self-build dwelling would not be significant in its contribution and should therefore only be afforded moderate weight.

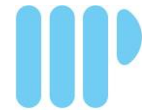
*“The application site is physically separate and remote from the identified settlement boundaries of, and the services and facilities within, Desford, whereby the future occupiers of the scheme are dependent on private motorised travel to meet their day-to-day needs. Given the above, the proposal is in an unsustainable location and represents the development of a new and unjustified isolated home in the countryside. This is considered to cause significant harm to the environment, and the intrinsic value, beauty, open character, and landscape character of the countryside in principle. By virtue of these factors, the proposal is considered to be unacceptable in principle, and contrary to, and in conflict with, the overarching sustainable ambitions of the NPPF, including Key Policy Paragraphs 84, 115, 129, and 135, Policies DM4 and DM17 of the SADMP, HDM Policy 1 of the LHDG, the Council’s Good Design Guide, and the National Design Guide, subject to the assessment of all other material considerations”.*

- 5.23 A rebuttal has been provided as part of the formal application, in which demand data from Custom Build Homes has been provided, who are the leading source for data on the subject. Alongside this, further information, in the way of appeal decision references, has been provided to assure the Council of the weight attributed to similar self-build would be significant or substantial, as opposed to moderate.

#### Assessment against Sustainable Travel

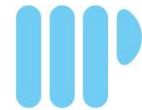
- 5.24 Within the pre-application response, a significant portion of the principle of development section focused on the sustainability of the site and the reliance motorised travel. The extract from the pre-application response is show below within the blue box.

*“..the application site lies in an unsustainable and isolated location that suffers from poor transport sustainability, and the future occupiers of the scheme are dependent on private motorised travel to meet their day-to-day needs. This is considered to result in significant environmental harm in principle that is contrary to, and in conflict with, the overarching sustainable ambitions of the NPPF, including Key Policy Paragraphs 115, 129, and 135, Chapter 9 of the NPPF, as well as Policy DM17 of the SADMP, HDM Policy 1 of the LHDG, the Good Design Guide, and the National Design Guide.”*



- 5.25 Policy DM17 of the Councils adopted Site Allocations and Development Management Policies DPD 2015 outlines the criterion relating to highways and transportation. The policy does state under section d) that “the development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised”.
- 5.26 The Council’s pre-application advice does acknowledge the advice within the NPPF (paragraph 110) which confirms that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 5.27 As a two-tier authority, the protection, maintenance and expansion of the local highway network is the responsibility of Leicestershire County Council as the Local Highway Authority. As part of the pre-application, a response was issued on the proposals by the Highway Authority, in which no objections were raised to the proposal on highways and transportation grounds. Within the highways observations it was acknowledged that due to the quantum of development that the impact on the highways network would be negligible. As such, it is considered that whilst the Borough Council views the site as being unsustainable and having an over reliance on the private car to meet their day-to-day needs, the impact of such travel would also negligible, and would not warrant a refusal of a bespoke self-build dwelling on such grounds when viewed within the tilted balanced – which is addressed within this statement.
- 5.28 The applicant is seeking to build their dream home within the curtilage of their family home and naturally aware of the transport methods available to them to meet their day-to-day needs, whether this be walking, cycling or the use of the private car. Desford, as a key rural centre, does offer a range of services and public transport connection routes, however, regardless of location of development, the nature of longer journeys would predominantly be carried out by motor car.
- 5.29 It is also viewed that the Council’s pre-application is, to a degree, flawed. This is due to the reliance on motorised vehicles no longer being a substantial enough ground to prevent development coming forward, especially when there is significant unmet need. The rise of electric vehicles means that journeys to meet the applicant’s day to day needs are inherently more sustainable and helps to reduce emissions in comparison to petrol or diesel vehicles. The proposed dwellinghouse





would features EV charging points whilst the site is also within walking distance from a key rural centre.

- 5.30 Accordingly, in our view preventing a self-build unit on an established site close to a village based on 'reliance of motor car' and the 'day-to-day needs' of our client is based on weak grounds.

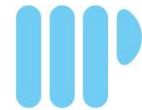
#### Consistency of Decision-Making

- 5.31 Notwithstanding the Councils comments within the pre-application response surrounding the principle of a self-build dwelling within the countryside, the authority should be aware that there should be a consistency in decision-making. Within the Councils Borough jurisdiction, a number of self-build dwellinghouses have been granted planning permission, outside of the settlement boundary.
- 5.32 A planning application at Upper Grange Farm, 1A Ratby Lane, Markfield (Reference: 24/01155/FUL), granted planning approval for the erection of a dwelling (self-build) with associated parking and landscaping. The application site is located outside of the settlement boundary of Markfield and is therefore in designated countryside – therefore in conflict with Policy DM4 of the Site Allocations and Development Management Policies DPD 2015.
- 5.33 The site is located within reasonable proximity to existing residential development and it was confirmed that the impact on the countryside would be limited due to the proposal's location. The site was considered to have a degree of locational and sustainable merit and as such, the conflict was limited. In this case contribution to unmet housing need, unmet self-build and custom housebuilding need, economic and social need was attributed due weight and a positive recommendation made.
- 5.34 The view that this site should be viewed negatively applies an inconsistency in the Councils decision-making and would constitute unreasonable behaviour given the evidence and support provided.

#### Tilted Balance

- 5.35 The delivery of a self-build dream home for the applicant, in the setting of their family home would deliver considerable benefits over the long-term with short term economic benefits during construction phase. The development would also





contribute towards unmet need for this housing product which should be given **significant weight** especially where there is no identified harm upon rural landscape or encroachment onto open countryside. Furthermore, the Council is failing to deliver sufficient housing more generally with the *tilted balance* engaged.

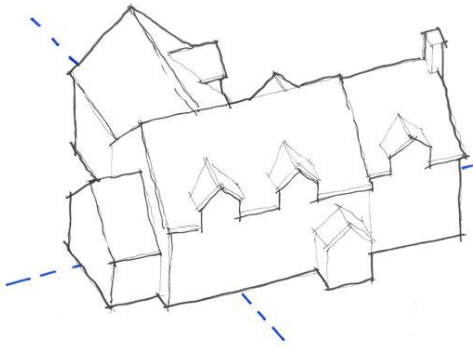
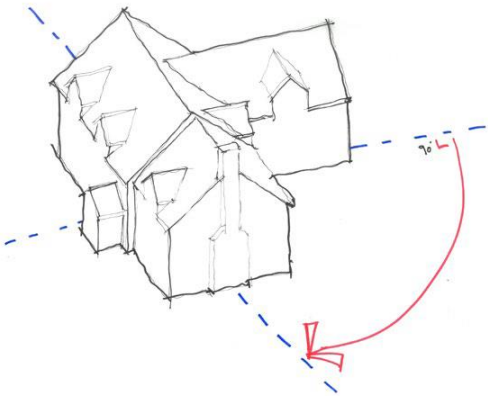
- 5.36 Accordingly, the principle of development is wholly acceptable and compliant with relevant policies from the Local Plan.

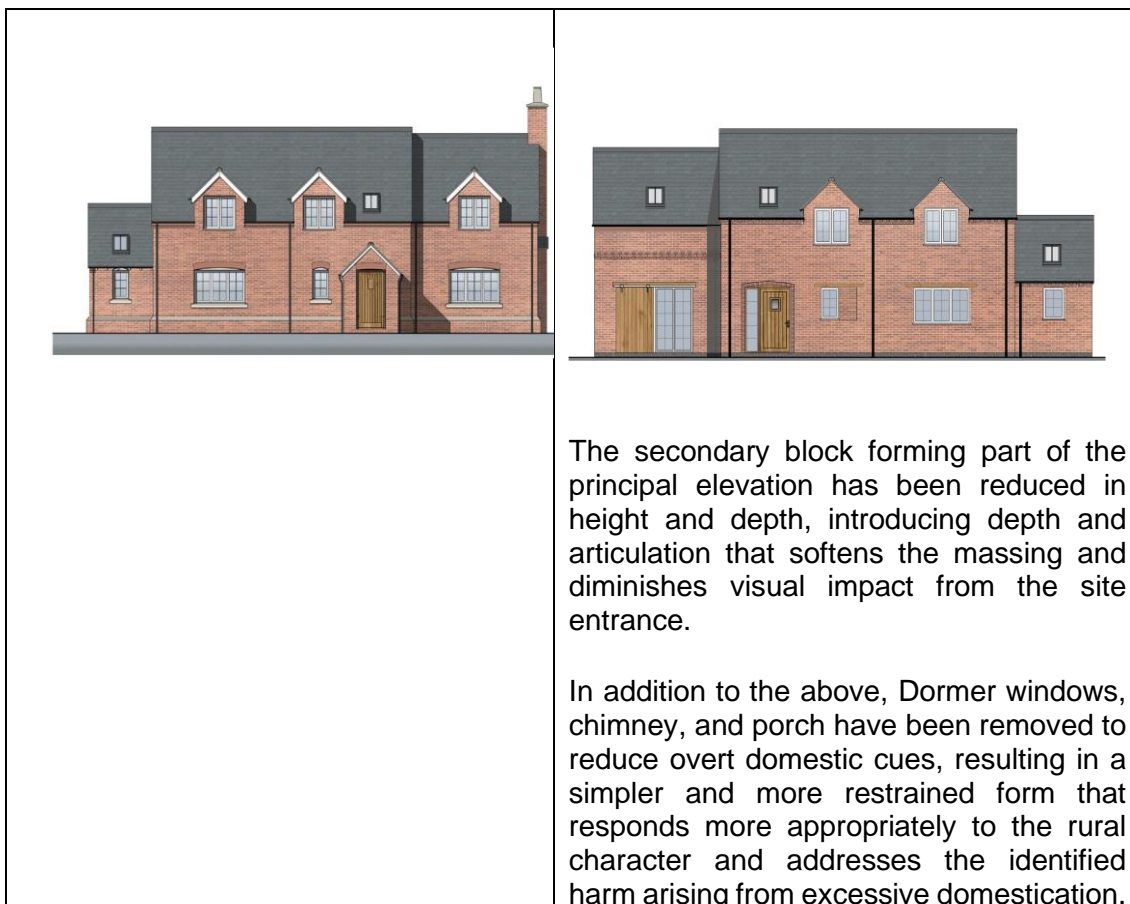
*ii. Self-Build Client Led Design*

- 5.37 The pre-application statement included a detailed section, which outlined the clients design journey. This was further supported by a drawing pack, prepared by Design Studio Architects (DSA). The supporting documents provided the natural progression of the design of the proposed self-build dwelling, with input from the applicant forthwith at all stages. The design sought to explore various iterations, to meet the needs and demands of the applicant and their family, providing a home for life.
- 5.38 Within the Councils response, it was stated that, *“Therefore, the current submission has failed to demonstrate that the scheme meets the definition of a self-build and custom house-build development because the Applicant has not demonstrated that they have had primary input into the final design and layout of the development”*.
- 5.39 Initially, to alleviate the concerns of the Council, the application has been submitted with a signed Self-Build and Custom House-Build Evidence Form, and the applicant is happy to sign a Unilateral Undertaking to secure the proposal as a self-build development. By providing this, the Council can confidently secure the dwelling as a legitimate self-build following an approval of planning permission.
- 5.40 Regarding the lack of demonstration relating to the applicant having primary input into the final design and layout of the proposed dwelling, this can be seen within the initial design pack journey. The applicant outlined their initial design and layout requirements during their initial meeting and engagement with Marrons. We have worked closely with the applicant to bring their vision to life for a self-build dream home at the site.
- 5.41 Alongside the concern surrounding applicant input in the design, the design itself also received a degree of critique within the pre-application response.



- 5.42 It is clear that the guidance for self-build and custom housebuilding that, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout. The overall design and features have been chosen by the applicant, which both further justifies the applicants' direct input, and the justification for the inclusion within the final design.
- 5.43 Following the receipt of the pre-application response the client has understood that some amendments may be required, to result in an overall design which is considered more appropriate by the Council, whilst retaining certain features which as desirable for their home.
- 5.44 The key elements which were raised as concerns by the Council relate to: scale, height and massing; the inclusion of front dormer windows; the inclusion of a chimney; and the inclusion of a porch. The below table provides visual amendments which has been designed by the client and the architects to adhere to the Councils advice, whilst retaining the features most desirable to the applicant.

Pre-application submission	Full planning submission
	<p>Rotated the mass so the ridge line and flatter elevation are parallel to the existing agricultural façade to reinforce the visual relationship with the existing courtyard.</p> 



- 5.45 From the above, amendments have been made based upon the advice received by the Council. However, certain features have been retained. The dormer windows have been retained, with one being removed from the front elevation and placed on the rear. The applicant, in their design input, indicated that this was a feature which they desire. It is noted from the Council's comments that dormers are not prevalent in the area, and this feature highlights the incongruous form of the development. The existing dwelling on site, as seen below, has a range of design features, ranging from the original farm building to the modern additions approved by the Council. This also includes a range of roof pitches and window types. The image below shows the window detailing on the southwestern element of the existing complex, which includes gabled windows, which give off the appearance of dormer windows, in this instance on the front elevation of the existing property.



Image 1, Original building with modern extensions

### iii. Character of the Area and Landscape Character

- 5.46 The pre-application response from the Council outlined the Officers' concerns in relation to the potential impacts on the character of the area and the landscape character of the wider area, with reference to the proposal. The summary of the Officers response is outlined in the box below:

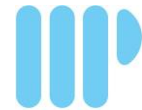
*In summary, the urbanisation and domestication of the application site is considered to have a significant and detrimental impact on the rural and tranquil character of the surrounding area, the intrinsic value, beauty, open character, and landscape character of the designated countryside, including the Desford Landscape Sensitivity Area and the Newbold and Desford Rolling Farmlands Landscape Character Area. By virtue of its size, scale, massing, height, design, and architectural features, the development is considered to have an overtly domestic appearance that is incongruous with, distracts from and detrimentally detaches the scheme from, the existing rural character of the wider site as an agricultural farmhouse.*

- 5.47 The response discusses the impact on the rural and tranquil character of the surrounding area, specifically relating to the landscape character of the designated countryside. Whilst the wider area is surrounded by open countryside, it is



considered that the site is visually contained and does not encroach on the countryside, the perceived impacts therefore are overinflated.

- 5.48 To alleviate Officer concerns the applicant has commissioned a full landscape visual impact assessment (LVIA). The LVIA accompanying the submission confirms that from several viewpoints surrounding the site, the self-build dwelling would not be highly visible, owing to the visually contained nature of the site. The result of the assessment confirms that the development would have a negligible impact on the countryside or the Newbold and Desford rolling farmland.
- 5.49 The Officer response outlined that the development is in conflict with the Newbold and Desford Rolling Farmlands Landscape Character Area. The key sensitivities section of the assessment does outline that there are isolated farmstead interspersed throughout the farmland, which contribute to the historic rural character and thus provide continuity to the past. The development site, whilst once used a farmstead for agricultural purposes, is no longer in this active use. The site is solely residential, with an extensive residential curtilage, and as such this sensitivity is tenuously linked to the historic use of the site. In addition, the site has benefited from a number of large, modern extensions to the original form and layout of the site, which in turn has supported the departure away from the historic form. The inclusion of a new residential dwelling therefore would have a limited impact on the perceived change to the historic rural character, noting also, it is not visible from public vantage points.
- 5.50 Within the Councils response, certain design features of the dwelling were raised as cause for concern. This includes the size, scale and massing of the dwelling in relation to the existing complex, and the introduction of dormer windows within the proposed development. Both of which were viewed to have a detrimental impact on the character of the area.
- 5.51 Following the receipt of the Officer's advice, some design amendments have been made to alleviate council concerns, whilst still achieving the applicants dream home.
- 5.52 Initially, the size, scale and massing have been amended, as shown within the comparison table in the client led design section of this report. The changes represent a willingness to reduce any perceived impacts outlined within the pre-application, representing a congruent relationship between the existing complex



and the new built form within the site. The positioning of the property has also been changed in order to better relate with the existing complex and reduce the perception of massing when entering the site.

- 5.53 Regarding the dormer windows included within the site, amendments have been made to reduce the number of front dormers on the self-build dwelling, whilst still retaining them within the design, as this is a feature which the applicant has expressed a desire to include. Outlining the key element of the applicant's key involvement within the design of their home. It is also noted that the character of the immediate site includes a range of designs, including the original farmstead, modern features, which contains dormer style window designs on the western front façade of the complex. As such, the inclusion of dormers would not be out of character with the immediate area.
- 5.54 Finally, the response outlined concerns in relation to the character of the area, in which it is the view of the Council that the introduction of a new dwelling would create an urbanisation and domestication of the development site. It is established that the site is used solely for residential purposes, with the host dwelling being surrounded by residential curtilage. As such, the site is already characterised as domesticated site, which is well contained, within the wider context of the open and rural countryside. The introduction of a new dwelling would not depart from the existing domestic land use.
- 5.55 The development, through the amendments, now presents a development which would sit comfortably within the setting of the existing complex and would be in keeping with the character of the area. The proposal therefore would comply with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD 2015, and the wider policies within the Councils Good Design Guide.

#### *iv. Landscaping and Arboriculture*

- 5.56 The site is well maintained, with well-groomed and manicured gardens surrounding the existing complex of Shericles Farm, with the exception of the proposed development location, which is an area of hardstanding used for additional off-street car parking.

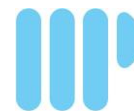




- 5.57 As part of the proposal, a detailed landscaping scheme has been proposed, including both soft and hard landscaping surrounding the self-build plot. This includes the area of hardstanding for the access path and car parking space, and the planting surrounding the plot. This is considered to be an improvement visually on the existing area, which currently is not considered to be synonymous with the rest of the site.
- 5.58 Within the site, and within the location of the proposed development, there are a number of trees. The application has been supported with a tree constraints assessment prepared by Origin Arboriculture. As part of the assessment the health and value of each tree has been assessed.
- 5.59 The development, following the pre-application advice of the Council, has been relocated to avoid impacting on the existing trees on site. As part of the response, it was identified by Officers that the trees internal to the site (T4, T5, T6 and T7) had the potential to have detrimental impacts to the rear garden amenity space of the proposed dwelling, in terms of loss of light.
- 5.60 The re-location of the development has reduced the impact from these trees, and with associated tree pruning works this will act to further reduce any impacts to the future occupiers of the dwelling, whilst retaining the trees for the visual amenity of the area and site.
- 5.61 The trees on site will be retained, including the boundary trees, ensuring that the natural visual barrier from open countryside into the site is not impacted.

**v.     *Amenity***

- 5.62 The pre-application response provided advice on the impact on residential amenity as a result of the proposed development. This was split into the impact on neighbouring residents, at the existing complex on site, and the amenity of future occupiers of the self-build dwellinghouse. It was established by the Officer that the dwelling would not result in any significant harm to the neighbouring property of Shericles Farm – by way of separation distances and the limited impacts from overlooking.



- 5.63 With regards to the amenity of future occupiers of the self-build dwellinghouse it is agreed that the development would achieve sufficient space standard, in line with the Nationally Described Space Standards (2015). The internal amenity space afforded to the future residents is therefore acceptable.
- 5.64 The outdoor private garden amenity space complies with the Council's Good Design Guide (GDG) SPD document, which confirms that a four-bedroom dwelling should also provide a minimum of 80sqm of private outdoor amenity space with a minimum length of 7m. This provision has been made and would comply with the GDG.
- 5.65 Concern was raised in relation to the potential shading impacts on the proposed garden amenity space, due to the existing trees located within the site. The trees in question are shown below which would run parallel with the length of the rear garden. The previous section of this report relating to landscaping and arboriculture confirmed that works to these trees will be conducted to ensure that sufficient light is afforded to the applicant and her family. The trees will be retained as to not detriment the character of the area, nor impact on ecology, but will be maintained as such to alleviate concerns of overshadowing.
- 5.66 Alongside this, it is important within the context of this proposal to understand the setting of the dwelling itself provides a degree of improved amenity for future residents, by way of its location. The site is located in a self-contained site within the Countryside. The site is well maintained and provides an array of health benefits, specifically mental health, being located and incumbered within nature.
- 5.67 The proposal would cause no detriment to neighbouring residential amenity and would provide sufficient amenity to future occupiers of the dwelling. The development is therefore in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2015, and the wider policies within the Council's Good Design Guide.

#### *vi. Highways*

- 5.68 The site will be accessed via the existing private track located off Kirkby Road. The development will also provide sufficient off-street parking provision for the new dwellinghouse, without impeding on the existing parking relating to the main





- 5.69 dwelling at Shericles Farm. The location of the proposed parking afforded to the new self-build dwellinghouse is in accordance with the Leicestershire Highway Design Guidance and would be appropriately located in relation to the dwelling.
- 5.70 Alongside the Councils pre-application response, Leicestershire County Council Highways Authority provided a detailed response in relation to the proposed development. The response confirmed that whilst Kirkby Road is rural and unsuitable for two-way movements, and whilst the proposed development would intensify the use of this, the proposed quantum of development and the existing situation relating to the existing dwelling, would not raise significant highways concerns, and as such the highways authority have no concerns regarding the development.
- 5.71 In addition, County Highways also noted that the development would not have any detrimental impact on the use and enjoyment of Public Footpath T70.
- 5.72 Following both responses from Hinckley & Bosworth and Leicestershire County Council, it is agreed that the proposed development would cause no impact on highway safety and the scheme would satisfy the off-street parking requirements of the Leicestershire Highway Design Guide. The proposal is therefore in accordance with Policy DM17 and DM18 of the Site Allocations and Development Management Policies DPD 2015.

#### *vii. Ecology*

- 5.73 The pre-application included a detailed response from Leicestershire County Council Ecology department. Initially it is confirmed, that as a custom and self-build dwelling that the proposal is immune from mandatory Biodiversity Net Gain, and as such this information is not required as part of this application.
- 5.74 The response from County Ecology outlined the requirements needed for assessing the development site, including the provision of various ecological assessments and surveys. These included a Ground Level Tree Assessment (GLTA) in relation to bats and a Habitat Suitability Assessment (HIS) for Great Crested Newts (GCN).
- 5.75 As seen within the associated Ecological assessments submitted with this proposal, no bats nor GCN will be impacted as part of this proposal, and all safeguarding measures shall be complied with during the construction phase of the development, to ensure that all protected species and habitats are retained and protected.



- 5.76 The landscaping scheme details outlined earlier within this report confirms that additional planting will be included within this proposal, and areas of land currently covered with hardstanding will be improved as part of the proposal, as garden amenity land.
- 5.77 The development retains and enhances the existing ecological features, and does not detrimentally impact habitats, ecological systems or networks, and as such the proposal would comply with Policy DM6 of the Site Allocations and Development Management Policies DPD 2015.

#### *viii. Waste Management*

- 5.78 Within the pre-application response it was confirmed that as part of the formal planning details relating to the storage or collection of recycling and refuse bins must be provided.
- 5.79 The details have been provided as part of the formal planning application and can be seen within the proposed site layout plan (please refer to Drawing No. 25008-DSA-ZZ-GF-DR-A-005-P01). The comments from the Councils Waste Team confirms that the waste and refuse collection must be in accordance with the Wheeled Bin and Container Policy (updated March 2018).
- 5.80 The existing complex at Shericles Farm has an existing waste and refuse collection agreement. This will be adhered to in the same manner for the self-build dwellinghouse as the existing dwelling. The collection therefore would not require any additional trips for the Councils waste collection team nor result in any unsafe collection.
- 5.81 The proposal therefore would be considered to be in accordance with the Wheeled Bin and Container Policy 2018.

#### *ix. Other Matters*

- 5.82 The application site falls within Flood Zone 1 which has the lowest probability of flooding. New built form with associated drainage infrastructure will be delivered on the site, and as shown within the landscaping scheme, will be introduced which will



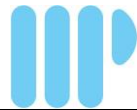
reduce surface water flows. Further details in relation to drainage would be agreed under the Building Regulations bearing in mind the proposal constitutes a minor scheme.

- 5.83 The proposed scheme can proceed without creating flood risk problems and is not located in an area of high risk of flooding, giving assurance to the safety against flood risk for the lifetime of the development. The proposal is therefore in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2015, and the wider policies of the NPPF 2024.
- 5.84 It is noted that the development site is not located within the setting of a listed building, a conservation area or a scheduled monument and as such there are no heritage consequences as a result of the development.

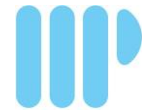
**x. Checklist**

- 5.78 The table below provide a snapshot of the positive changes to the proposal taking into account the Council's feedback at pre-application stage.

Planning Grounds	Proposed Changes to Overcome
Design of the self-build unit, including size, scale, massing and design features.	Design amendments made to reduce the perceived scale and massing of the development, alongside the reconfiguration of the dormer windows to reduce front dormers. Repositioned the footprint so as to appear more sympathetically related to the host complex and reduce the appearance of massing when entering the site.

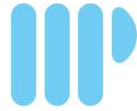


Impact on the countryside and landscape character of the area.	The LVIA confirms that there are no impacts upon landscape character of the area. The site does not encroach into countryside and is visually contained within the existing residential plot.
Suitability and sustainability of the site for a self-build dwelling.	Evidence provided on similar self-build units approved within the Councils jurisdiction, which were considered acceptable and sustainable in the balance.
Concern surrounding residential amenity in relation to the proposed rear garden amenity space - due to overshadowing from existing trees.	The plot location has been amended, and the application has been informed by a full Arboricultural Assessment. There would be no loss of any existing trees.



## 6 CONCLUSIONS AND PLANNING BALANCE

- 6.1 The proposal is for 1 no. self-build dwelling designed by the applicant as their dream home within the established curtilage of her former family residence. The housetype has been carefully developed with the client's input on how much space is required and the internal arrangement of rooms. The initial concept has then developed into a 'design journey' where the applicant's preference is for a traditional form taking architectural cues from the main Shericles Farm complex and discounting modern/contemporary architecture which could have acted as a counterpoint. The result is a sympathetically related housetype design by virtue of its positioning, scale, appearance, detailing & materiality.
- 6.2 Initially, the Council provided negative feedback as part of the pre-application process. However, any harm was over-inflated as the site is visually contained and the development would come forward on existing residential grounds without any encroachment into open countryside. Notwithstanding, we have sought to respect Officer comments and working closely with our Client the housetype design has been amended and re-positioned. Furthermore, a bespoke Landscape Visual Impact Assessment (LVIA) confirms that the development would have negligible impact upon local landscape character.
- 6.3 Overall, any minor 'in-principle' harm is completely outweighed by the benefits of delivering a genuine self-build unit in a sustainable location without any demonstrable harm upon countryside. This should be considered in the context of where the Council is failing to deliver sufficient houses generally with the *tilted balance* engaged and evidence outlines that there is unmet need for self-build and custom houses within the Borough. We consider that ignoring this evidence and failing to apply reasonable judgment with regards to the benefits of the proposal would constitute unreasonable behaviour.
- 6.4 We hope that the appeal arena can be avoided and that Officers can apply reasonable judgment when weighing the overall planning balance. There are no technical factors which would prevent the proposal from coming forward as suitable



parking is provided, the dwelling would not prejudice the safe or efficient use of the highway, no habitats would be harmed and no trees would be felled.

- 6.5 Accordingly, the planning balance should be tipped firmly in favour of the development as the proposal complies with relevant policies from the Council's Local Plan, and would constitute sustainable development in line with the NPPF 2024.