





### Consultations:-

No objection subject to conditions have been received from:-

Leicestershire County Council (Highways)  
Head of Street Scene (Waste Minimisation)  
Environmental Health (Drainage)  
Environmental Health (Pollution)

Stoke Golding Parish council object to the application stating that the application is an overdevelopment on an inappropriate site.

A site notice was displayed and neighbours notified. A total of five objections have been received, which raise the following issues:-

- a) incorrect alignment of fence separating the rear gardens of 110 and 112 Sherwood Road (current boundary dispute)
- b) previous Removal of Willow Tree on site could lead to flooding issues
- c) too close to 112 Sherwood Road, concerns with overlooking and impact upon privacy
- d) previously the council stated the plot was too small to accommodate a bungalow
- e) drain and sewer runs through the plot
- f) disposal of waste and water sewage into an already overloaded village system
- g) lack of amenity to immediate neighbours
- h) impact of traffic
- i) loss of privacy to properties across the road
- j) would be overly imposing in street and spoil look of area

- k) would result in housing density to be disproportionately increased compared with surrounding estate
- l) create crowding and a more urban feel with loss of view of gardens
- m) worsen traffic situation in area
- n) would set a precedent for development of garden plots
- o) gardens reclassified as greenfield land to prevent garden grabbing.

### **Policy:-**

#### National Policy Guidance

The National Planning Policy Framework (NPPF) 2012  
The National Planning Practice Guidance (NPPG) 2014

#### Hinckley & Bosworth Core Strategy 2009

Policy 11: Key Rural Centres Stand Alone

#### Hinckley & Bosworth Local Plan 2001

Policy RES5: Residential Proposals on Unallocated Sites  
Policy BE1: Design and Sitting of Developments  
Policy T5: Highway Design and Vehicle Parking Standards

#### Supplementary Planning Guidance/Documents

New Residential Development (SPG)

### **Appraisal:-**

The main considerations in the determination of this application are:-

- Principle of development
- Impact upon the character of the area
- Impact upon neighbouring amenity
- Highway considerations
- Other Matters
- Conclusions

#### Principle of Development

Paragraph 11 - 13 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that it is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009) and the saved policies of the Local Plan (2001).

Policy 11 of the adopted Hinckley & Bosworth Core Strategy (2009) identifies Stoke Golding as a Key Rural Centre Stand Alone. The policy states that a minimum of 60 new homes will be allocated in Stoke Golding

The site is within the settlement boundary of Stoke Golding as identified in the Hinckley & Bosworth Local Plan (2001).

It is therefore considered that the site is within a sustainable location close to services and facilities and the principle of residential development within the settlement boundary of Stoke Golding is acceptable subject to all other planning matters being addressed.

#### Impact upon the character of the area

Policy BE1 (criterion a) of the Local Plan requires development to complement or enhance the character of the surrounding area with regard to scale, layout, mass and design.

The proposal is a small two bedroomed bungalow, which is a scale in keeping with the surrounding properties along Whitemoors Road which includes a mix of detached and semi-detached bungalows and dwellings. The existing bungalows are set within an elongated plot with the dwelling positioned to provide a gable end frontage; this allows the bungalows to step down the street, due to the sloping nature of Whitemoors Road.

The design of the proposal differs to the design of the existing bungalows on Whitemoors Road; however provides its own frontage to the streetscene. Due to the limited size of the site the bungalow is orientated to sit across the site. The orientation of the proposal addresses the level changes by cutting into the slope of the site. The roofline of the proposal is stepped to provide a break and interest. Whilst the design is not in keeping with the bungalows in the immediate area, there are two storey dwellings and bungalows within the area which follow this alternative orientation and it is therefore considered that the design of the proposed bungalow would not harm the character of the area.

Parking is provided to the side of the proposed bungalow which is in keeping with the existing parking arrangements of other properties within the area.

The size of the site is smaller than any other plot within the immediate area. However the character of the area contains a variety of plot sizes and typically the plots with bungalows are smaller than the surrounding dwellings. The dwelling can be accommodated on site, with two off street parking spaces and a rear amenity space of approximately 80 square metres. The New Residential Development SPG sets a standard of 60 square metres for outdoor private amenity space for two bedroomed dwellings, which this proposal exceeds. It is therefore considered that whilst the site is small in size it has been shown that a bungalow and associated parking and amenity space can be provided in line with the standards outlined in the SPG.

It is therefore concluded that the proposal will not harm the character of the area and is in accordance with Policy BE1 (criterion a) of the Hinckley & Bosworth Local Plan (2001).

#### Impact upon residential amenity

Policy BE1 (criterion i) of the adopted Local Plan and SPG require that development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties. The residential properties which abut the site are 112 and 110 Sherwood Road, and 6 Whitemoors Road. To the west across the road from the proposed site are 1, 3 and 5 Whitemoors Road.

The proposal is designed to have no windows within either side elevation (north and south), which avoids overlooking issues to 112 Sherwood Road and 6 Whitemoors Road. Due to the single storey design of the proposal this removes overlooking issues into the rear garden of 110 Sherwood Road.

The bungalow is situated within the southern part of the site and is cut into the slope of the site. This provides a distance of 14 metres between the proposed bungalow and No. 6

Whitemoors Road and reduces the impact on the dwelling. It is therefore considered that there will be no overbearing or privacy issues to 6 Whitemoors Road.

The proposed bungalow is 0.4 metres from the boundary of 112 Sherwood Road, adjacent to an existing garage. The proposed bungalow is designed to feature a reduced projection with a lower ridge height to the main roof of the bungalow, adjacent to the boundary with No. 112. It is therefore considered that the design and its positioning of the proposed dwelling within the site would not result in overbearing impact or loss of privacy through overlooking or overshadowing to 112 Sherwood Road.

Concerns have been raised in regard to overlooking to Nos. 1, 3 and 5 Whitemoors Road. The dwelling is set back into the site by 1.8 metres and is separated from Nos. 1, 3 and 5 by Whitemoors Road. The distance between the existing and proposed properties is approximately 18 metres across the highway. Whilst this is under the recommended 25 metres identified in the New Residential Development SPG, the guidance does identify that in the case of single storey dwellings provided privacy and the minimum garden areas is maintained then this figure may be relaxed. It is therefore considered due to the distance and the intervening road between the properties that the proposal will not have a detrimental harm upon the amenity of Nos. 1, 3 and 5 Whitemoors Road in regard to impact upon privacy and overlooking.

Due to the limited outdoor private amenity space associated with this proposal, 'permitted development' could result in a significant reduction to this provision. Additionally several elements including, extensions (including roof extensions) and erection of outbuildings allowed by 'permitted development' could result in an impact upon neighbouring residential amenity in regards to overlooking and over bearing impact. It is therefore recommended that a condition is included to removed certain 'permitted development rights' in regards to extensions (including roof extensions) and erection of outbuildings.

It is therefore concluded that the development will not have a detrimental impact upon the amenity of neighbouring residents and the proposal is in accordance with saved Policy BE1 (criterion i) of the Hinckley & Bosworth Local Plan (2001).

### Highway Considerations

The development is proposed to be accessed via Whitemoors Road with two tandem parking spaces to the side of the dwelling.

It is considered that appropriate visibility can be provided at the access and the proposed parking is in line with appendix D of the adopted Hinckley & Bosworth Local Plan (2001). Leicestershire County Council (Highways) have raised no objection to the proposal.

The proposal is therefore considered to be in accordance with saved Policy T5 and Appendix D of the adopted Hinckley & Bosworth Local Plan.

### Other Matters

Concerns have been raised in regards to the previous removal of a Willow Tree on site and the impact this will have on flooding. This tree has been removed on site and does not form part of this application.

A storm sewer exists on site and has been plotted on the proposed site plan with a 6 metre easement. The layout identifies that the proposal can be accommodated on the site without impeding the easement of the sewer.

The proposal will connect to the existing mains sewer. Concerns have been raised that the sewage system is overloaded and another dwelling would impact this. This would be a matter for Severn Trent Water and if needed the system would require upgrading. This would not warrant a reason for refusal.

It has been raised through the consultation that gardens have been reclassified as greenfield land to prevent garden grabbing. Paragraph 53 of the NPPF states that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. It is considered in this instance for the reasons outlined above that the development will not cause harm to the local area and is therefore considered acceptable.

### Conclusion

The principle of residential development is acceptable within the settlement boundary of Stoke Golding subject to other material planning considerations. It is considered that the proposal will not result in harm to the character of the area and will result in appropriate development. The development is considered to provide acceptable private amenity space and will not be detrimental to the amenity of neighbouring residential properties. Additionally the proposal provides appropriate off-street parking in line with appendix D of the local Plan. It is therefore considered that the application is in accordance with both local and national policies.

### **RECOMMENDATION:- Grant subject to conditions.**

#### **Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would be of an acceptable design, would not impact upon the amenity of neighbouring properties or result in a highway safety issue.

Hinckley & Bosworth Core Strategy (2009):- Policy 11.

Hinckley & Bosworth Local Plan (2001):- Policies RES5, BE1 and T5.

In dealing with the application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

#### **Conditions:-**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans, Dwg No 15.3106.03B - Detailed Planning Proposals received 24 March 2015 and Location Plan at 1:1250 received 18 March 2015.
- 3 No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to

and agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved proposed ground levels and finished floor levels.

- 4 Prior to the commencement of development representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings shall be submitted to and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.
- 5 The car parking facilities shall permanently remain available for car parking.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking or re-enacting that Order with or without modification) development within Article 3, Schedule 2, Part 1 Classes A, B, C and E shall not be carried out unless planning permission for such development has first been granted by the local planning authority.

**Reasons:-**

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the development has a satisfactory appearance and in the interests of visual and residential amenity to accord with Policy BE1 (criterion a) of the adopted Hinckley & Bosworth Local Plan.
- 4 To ensure that the development has a satisfactory appearance and in the interests of visual amenity to accord with Policy BE1 (criterion a) of the adopted Hinckley & Bosworth Local Plan.
- 5 To ensure adequate parking is provided with the development to avoid on street parking associated with the development, in accordance with Policy T5 of the Hinckley & Bosworth Local Plan.
- 6 To ensure the development remains acceptable for the character of the area and to not impact on the amenity of neighbouring properties in accordance with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

**Notes to Applicant:-**

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).
- 5 Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e soakaways, pervious paving, filter drains, swales, etc and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid the necessity of discharging some surface water off-site, flow attenuation methods should be employed, either alone of, if practical in combination with infiltration systems and/or rainwater harvesting systems.
- 6 Access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving discarding to an approved outlet (see Environment Agency guidance on the permeable surfacing of front gardens).

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