Item: **09**

Reference: **11/00178/FUL**

Applicant: **Mr Alan Makin**

Location: **86 Leicester Road Hinckley**

Proposal: **DEMOLITION OF EXISTING DETACHED GARAGE AND ERECTION OF SINGLE STOREY DWELLING**

Target Date: **2 May 2011**

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it has generated above 5 objections and the consultation period has not yet expired.

Application Proposal

Full planning permission is sought for the erection of a single storey dwelling to the rear of No. 86 Leicester Road, Hinckley. The proposed bungalow of four bed configuration intends to utilise the existing access from Leicester Road and the host and proposed dwelling will share the access drive, with parking for both dwellings to the rear.

The Site and Surrounding Area

The dwelling will be sited within the rear garden of No. 86 Leicester Road. The site is largely bounded by residential development. There are a group of trees located to the bottom of the neighbouring garden (No. 84) which are subject to a Tree Preservation Order.

The site is located within the settlement boundary of Hinckley, as defined by the adopted Hinckley and Bosworth Local Plan.

Technical Documents submitted with application

The application is accompanied by a Design and Access Statement which states that the new dwelling has been designed to avoid any overlooking or privacy issues with the surrounding properties and lists specific details of drainage designs and solar heating measures.

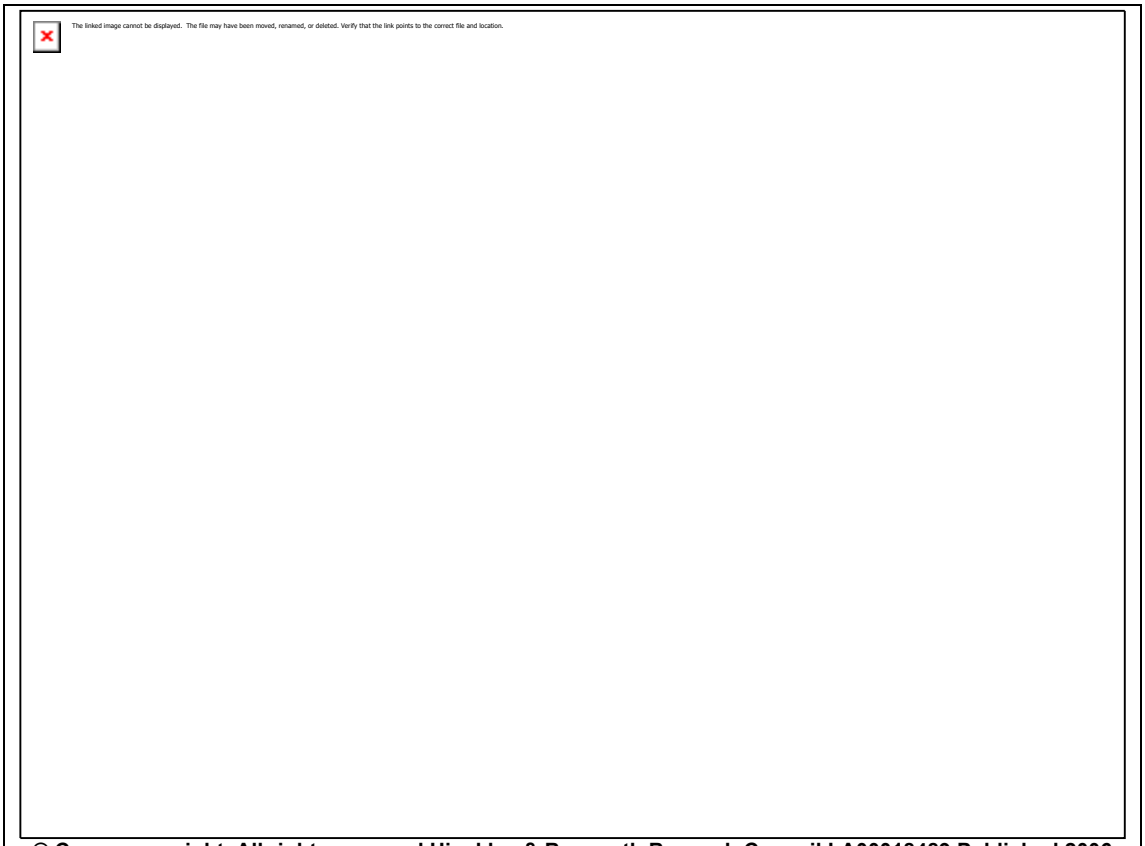
Following concerns raised by officers, amended plans have been received showing a reduction in the roof pitch from 35 to 25 degrees. Re-consultation has been undertaken with both objectors and the occupiers of surrounding residential properties.

During the course of the application, the applicant has also provided documentation with correspondence with Severn Trent Water and confirmation from them that the solution to the surface water is acceptable and will not impact on the existing public

sewerage system and that the foul water from the proposed dwelling is a very nominal discharge.

History:-

08/00780/FUL	Demolition of two dwellings (No.84 and No.86Leicester Road) and erection of ten dwellings and associated garages and access	Refused	19.11.08
07/01486/FUL	Demolition of two dwellings (No.84 and No.86Leicester Road) and erection of ten dwellings and associated garages and access	Refused	12.03.08
80/00457/4	Erection of a bungalow	Refused	24.06.80
78/00441/4	Erection of 1 dwelling and garage	Refused	25.04.78



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Consultations:-

No objection has been received from Head of Community Services (Pollution).

No objection subject to conditions have been received from:-

Severn Trent Water Ltd
Director of Environment and Transport (Highways)
Head of Business Development and Street Scene Services (Waste Minimisation).

Head of Community Services (Land Drainage) states that planning consent should be conditional upon the execution of the sustainable drainage proposals described in the Design and Access Statement – i.e. permeable construction of parking, turning and access surfaces, rainwater harvesting and the sustainable management of hard-surface rain runoff.

Six letters of representation have been received raising the following concerns:-

a) three new parking spaces may at a future time be used to provide an access to any proposed development to serve the garden area of No. 84 Leicester Road
b) roadway created close to boundary; choice of surfacing materials creating gravel spray
c) three car parking spaces is excessive; should be reduced and bungalow re-sited closer to host dwelling
d) dwelling will be sited in an elevated position
e) replace restrictions/conditions to ensure that no car parking or garaging shall be erected
f) valuable amenity area will be affected
g) 35 degree roof will have a visual impact; high ridge line does not relate well; other infill bungalows have been restricted to a roof pitch of 22 degrees; reduction in roof pitch would lessen the impact on surrounding properties
h) drainage; soakaways are not suitable
i) removal of trees will cause further drainage problems
j) the applicant cannot rely on any screening to be provided by the existing hedges on the eastern boundary
k) impact upon wildlife/biodiversity.

Following re-consultation, the consultation period remains open at the time of writing and closes on 18 April 2011. Any further consultation response received before the closing date will be reported and appraised as a late item.

At the time of writing the report comments have not been received from Head of Corporate and Scrutiny Services (Tree Officer).

Policy:-

Central Government Guidance

Planning Policy Statement 1 (PPS1): 'Delivering Sustainable Development' refers to the delivery of sustainable development through the planning system. It advises that planning policies should protect and enhance the environment, promote high quality design and reinforce local distinctiveness.

Planning Policy Statement 3 (PPS3): 'Housing' sets out the national planning policy framework for delivering the Government's housing objectives.

This document states at paragraph 12 that good design is fundamental to the development of high quality new housing.

Paragraph 13, reflecting policy in PPS1, states that good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to improve the character and quality of an area and the way it functions, should not be accepted.

Paragraph 16 lists matters to be considered when assessing design quality; this includes assessing the extent to which the proposed development is well integrated with and compliments the neighbouring buildings and the local area more generally in terms of scale, density layout and access.

Paragraph 41 states that at least 60 per cent of new housing should be provided on previously developed land and that a key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed.

Paragraph 48 states that Local Planning Authorities should facilitate good design by identifying the distinctive features that define the character of a particular local area.

Paragraph 49 states that careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate.

Paragraph 71 states that where the LPA cannot demonstrate an up-to-date five year supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in PPS3 and considerations in paragraph 69. Paragraph 69 requires the LPA to ensure that the proposed development is in line with planning for housing objectives, reflects the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives. In addition, development should provide high quality housing of a good mix and make effective and efficient use of land.

PPS3 was updated in June 2010 to specifically refer to garden land not being Brownfield land and Paragraph 47 has been amended and 30 dwellings per hectare is no longer a national indicative minimum density in order to allow local planning authorities to develop their own range of policies whilst having regard to the continued need to develop land in the most efficient manner.

Planning Policy Guidance Note 13 (PPG13): 'Transport' sets out national transport planning policy. Paragraph 6 states that Local Planning Authorities should accommodate housing principally within urban areas and promotes accessibility to services by public transport, walking and cycling and reduces the need to travel. Paragraph 29 states that when thinking about new development the needs and safety of the community should be considered and addressed in accompanying Transport Assessments.

Planning Policy Statement 25 (PPS25): 'Development and Flood Risk' aims to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk.

The Community Infrastructure Levy (CIL) Regulations 2010, Part 11, Regulation 122 provides a statutory duty in respect of planning obligations and requires them to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed. The Regulation does not replace Circular 05/2005 but gives it a statutory foothold in planning legislation.

Government Circular 05/2005: Sets out the Secretary of State's policy on Planning Obligations, and should be given significant weight in decision making and developer contributions.

Regional Policy

The decision of the Secretary of State for Communities and Local Government ("SoS") on 6 July 2010 to revoke Regional Strategies using powers in section 79 of The Local Democracy, Economic Development and Construction Act 2009 was successfully challenged in the High Court and was quashed in a judgment handed down on 10 November 2010.

Following the decision, the SoS has written to local planning authorities stating that the government will introduce the Localism Bill in November containing proposals to abolish Regional Strategies.

The government's Chief Planning Officer has also written advising that local planning authorities should still have regard to the SoS`s letter of 27 May 2010 and that it should still be regarded as a material consideration.

Judgement was recently given in a second challenge by Cala Homes when the Court held that the SoS`s intention to reform the planning system by removing regional strategic planning from it is to be taken into account as a material consideration

In relation to the weight to be given to that intention as a material consideration the Court held that `the weight to be given to relevant provisions of Regional Strategies pending the legislative process will be for decision-makers to gauge. Until the end of that process is reached Regional Strategies will remain in place as part of the development plan.

East Midlands Regional Plan 2009

This is the Regional Spatial Strategy for the East Midlands and provides a broad development strategy for the East Midlands. The following relevant policies apply to this proposal:-

Policy 2 promotes better design including highway and parking design that improves community safety.

Policy 3 directs development towards urban areas with priority being given to making the best use of previously developed land.

Policy 43 seeks to improve highway safety across the region and reduce congestion.

Local Development Framework Core Strategy 2009

Policy 1: 'Development in Hinckley' seeks to diversify the existing housing stock in the town centre to cater for a range of house types and sizes, to ensure there is a range of employment opportunities within Hinckley and to allocate land for new office development within or adjoining the Hinckley Town Centre Area Action Plan boundary.

Policy 19: 'Green Space and Play Provision' seeks to ensure that all residents have access to sufficient, high quality and accessible green spaces and play areas.

Policy 24: 'Sustainable Design and Technology' requires new residential developments in Hinckley to meet a minimum Code level 3 of the Code for Sustainable Homes.

Hinckley and Bosworth Local Plan 2001

Policy IMP1: 'Contributions Towards the Provision of Infrastructure and Facilities' requires contributions towards the provision of infrastructure and facilities to serve the development commensurate with the scale and nature of the development proposed.

Policy RES5: 'Residential Proposals on Unallocated Sites' states that on sites not specifically allocated in the plan for housing, planning permission will only be granted for new residential development if the site lies within a settlement boundary and the siting, design and layout of the proposal do not conflict with the relevant plan policies.

Policy BE1: 'Design and Siting of Development' seeks to ensure a high standard of design in order to secure attractive development and to safeguard and enhance the existing environment. Development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Development should ensure adequate highway visibility for road users and adequate provision for on and off street parking for residents and visitors together with turning facilities and should not adversely affect the occupiers of neighbouring properties.

Policy NE14: 'Protection of Surface Waters and Groundwater Quality' protects the water environment.

Policy T5: 'Highway Design and Vehicle Parking Standards' refers to the application of appropriate standards for highway design and parking targets for new developments. Leicestershire County Council's document 'Highways, Transportation and Development' provides further highway design guidance and parking targets.

Policy REC3: 'New Residential Development - Outdoor Play Space for Children' requires the appropriate level of open space to be provided within development sites or, alternatively, a financial contribution to be negotiated towards the provision of new recreation facilities within the vicinity of the site or towards the improvement of existing facilities in the area.

Supplementary Planning Guidance/Documents

Supplementary Planning Guidance: 'New Residential Development' provides a series of standards that new residential development should achieve in respect of design, layout, impact on neighbours and amenity space. It specifically states that the appropriate density of the development will be determined by the general character of the surrounding area.

Supplementary Planning Document: 'Play and Open Space', provides further information on the policy supporting play and open space provision including a breakdown of the cost to maintain and provide various types of formal and informal open space.

Other material guidance

None relevant; for the avoidance of doubt the site falls outside of the Hinckley Town Centre Area Action Plan area.

Appraisal:-

The main considerations in the determination of this application relate to the principle of development, impact upon character; siting and design, impact upon residential amenity, drainage, highway considerations and other matters.

Principle of Development

The site is located within the settlement boundary of Hinckley, as defined on the Adopted Hinckley and Bosworth Local Plan proposals map and therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed.

The application site comprises garden land and would prior to the update to PPS3 have fallen into the category of brownfield land, however the update to PPS3 removed garden land from the 'brownfield' land classification. It is considered that where development is proposed on garden land within the defined settlement boundary the character, density, mass, layout and design should be fundamental to the determination of the application alongside the development being carried out in accordance with relevant plan policies.
The relevant plan policies include PPS3 which states that the extent to which the proposed development is well integrated with and complements the neighbouring buildings and the local area more generally in terms of scale, density layout and access should be considered.

This approach is supported by Policy RES5 of the Adopted Local Plan that states that on sites not specifically allocated in the plan for housing, planning permission will only be granted for new residential development if the site lies within a settlement boundary and the siting, design and layout of the proposal do not conflict with the relevant plan policies.

Local Plan Policy BE1 seeks a high standard of design to safeguard and enhance the existing environment through a criteria based policy. These criteria include ensuring the development 'complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, design, materials and architectural features'. This consideration ties in with the intentions of PPS3 and RES5 for local authorities to prevent overdevelopment and development that is out of keeping with the character of the surrounding area.

The development proposed in this application is for 1 dwelling and for the reasons discussed further in this report are not considered to be in conflict with adopted development plan policy.

Impact upon Character; Siting and Design

The consideration of the impact on character has always been a material consideration in the determination of planning applications, even before the revised version of PPS3 came into force, through consideration of the requirements of Policy BE1. The amendments to PPS3 further strengthen the issue of impact on character and the pattern of development.

The area to the south of the proposed dwelling is largely characterised by large two storey detached dwellings set close to the road frontages with large gardens to the rear. To the north of the site are properties on Island Close which comprise of mainly single storey or dormer bungalows which again are predominantly located close to

the road frontage. There are also 2 no. dwellings to the east of the site (No's 94 and 94A) which do not front the road frontage, and as such backland development has already taken place within the immediate area. In addition, the dwelling is proposed to be sited in a similar location to the dwellings which already exist at depth and therefore adds to this select cluster of backland dwellings in the locality. As such the siting of the dwelling is considered acceptable.

Whilst the proposed dwelling would have a larger footprint than that of the existing host dwelling, the scheme proposes an appropriately sized rear garden in accordance with the standards set down in the Borough Council's SPG which gives a spacious, low-density development. By virtue of the single storey nature of the proposal and size of the plot, the overall scale and density of the scheme is considered acceptable in this location. Two storey proportions are common to the south of the site, whilst dwellings to the north and east are of detached bungalows. As such it is considered that the footprint of the dwelling with single storey proportions is considered acceptable in this location.

Following the submission of amended plans the scheme now shows a reduction in the roof pitch and the proposed dwelling proposes to incorporate velux solar powered windows, solar hot water collectors and a roof overhang for solar shading to fully maximise daylight and enhance solar gain. As s result of the improvement to the roof, single storey proportions and incorporation of sustainable design measures, the design approach is considered acceptable.

In summary, given that there is already the existence of development at depth, the proposed development accords with the general siting and scale of existing dwellings within the vicinity, ensuring that the development appears in keeping with the scale and character of existing dwellings and the design approach is considered acceptable. As such, the scheme is considered to be in accordance with guidance contained with PPS3, Saved Policy BE1 of the adopted Hinckley and Bosworth Local Plan and with the principles outlined in the Council's SPG on New Residential Development.

Impact Upon Residential Amenity

The residential dwellings most immediately impacted upon as a result of the proposal would be No. 19 Island Close located due north and Nos. 94, 96 and 98 Leicester Road, located due east, given the proximity of the proposal.

No. 19 Island Close has a rear garden of approximately 15 metres and there is a distance of approximately 17 metres between the shared rear boundary wall with No. 19 and the rear wall of the proposed dwelling. Therefore accumulatively there is a distance of approximately 32 metres between the rear walls of the proposed and neighbouring dwelling. The Council's SPG on New Residential Development seeks a minimum distance of 25 metres between principal windows of habitable rooms to similar windows in neighbouring dwellings. As such it is considered that there is sufficient distance between the dwellings to ensure that there would not be any significant overlooking, overshadowing or overbearing impacts as a result of the scheme.

The side wall of No. 94 Leicester Road located to the east of the site is sited approximately 24 metres from the side wall of the proposed dwelling and the distance is occupied by the rear garden of No. 98. As such there are boundary treatments occupying both boundaries to No.98 which offers a level of screening between the proposed and neighbouring dwelling. Overall given the distance and existence of

boundary treatments offering some screening, it is not considered that the scheme would give rise to a significant detrimental impacts upon the amenities of the occupying dwelling.

Given the distance between the host and proposed dwelling, and by virtue of the proposed dwelling's positioning due north and of a single storey scale it is not considered that there would be any material impacts upon the host dwelling.

It is not considered that there are any other neighbouring dwellings impacts upon as a result of the proposal.

In response to letters of neighbouring objections the roof pitch has been reduced from 35 to 25 degrees. It is considered that the reduction has reduced the visual impact and any potential impacts upon residential amenity. A further reduction would compromise the design and a pitch of 25 degree would be sufficient to ensure first floor accommodation cannot be easily incorporated. Notwithstanding this, it is considered that it is important to impose a condition to restrict future permitted development rights that may allow for unacceptable modifications to the roof.

Given the available separation distances, it is not considered that re-siting the dwelling, (at the loss of car parking space) further towards the south of the site would be necessary. Whilst the site is fairly flat there are variations in land levels around the site and a number of letters have referred to the changes in land levels. As such it is considered necessary to impose a condition to ensure that the correct levels are first submitted to and approved in writing by the Local Planning Authority.

In response to a neighbouring objection received regarding an existing hedge, and any long terms issues regarding damage or retention would be a civil matter between the owner of the hedge and future owner of the dwelling.

In summary, the proposal is considered to have minimal impacts upon the amenity of neighbouring residents. Accordingly the scheme is considered to be in accordance with Saved Policy BE1 of the Local Plan.

Drainage and Flood Risk

The site, in conjunction with land to the rear of No. 94 Leicester Road, has previously been subject to planning applications for the erection of 10 no. dwellings, one reason for the refusal of which included the failure to. In light of the previous planning history both Severn Trent Water and the Head of Community Services (Land Drainage) have been formally consulted on this application for 1 no. dwelling.

The application form states that surface water will be disposed of by a Sustainable Drainage System and all surfaces are to be pervious Sustainable Urban Drainage System finishes. The accompanying Design and Access Statement also confirms that no rainwater is to be connected into the public sewer, and the new vehicle access is to have a pervious gravel finish without rainwater gullies to avoid rainwater being collected and deposited into the existing sewer. The new dwelling is also to have a below ground soft water storage tank so that the stored filtered water can be re-used for flushing toilets, laundry etc.

The Head of Community Services (Land Drainage) states that planning consent should be conditional upon the execution of the sustainable drainage proposals. Severn Trent Water has no objection to the scheme but has requested that a condition be imposed to ensure drainage plans are first submitted to and approved in

writing by the Local Planning Authority. Accordingly it is considered necessary to impose a planning condition to this affect.

In summary, Severn Trent Water raise no objection, subject to the imposition of a condition to secure drainage details. As such it is considered that no increase in flood risk in anticipated and accordingly the development is considered acceptable in relation to guidance contained in PPS25 and subject to the imposition of a condition would also be in conformity with Saved Local Planning Policy NE14 of the Local Plan.

Highway Considerations

The development proposes to utilise the existing access from Leicester Road, following the demolition of the existing garage and propose 3 no. off street car parking spaces for the proposed development and 3 no. off street car parking spaces for the host dwelling to the rear of the site.

In response to the letters of objection, the number of off street car parking spaces, trips generated, and types of materials have been considered by the Director of Environment and Transport (Highways) who has no objection to the scheme subject to the imposition of a planning condition.

In summary, it is not considered that there would be any significant impacts upon highways safety. Accordingly the development accords with Saved Policy T5 of the Local Plan.

Other Matters

Impact Upon Trees

There are also a number of conifer and fir trees to the front of the site which are set to be removed to allow access to the site. It is not considered that these trees are worthy of protection.

There are a group of trees located to the bottom of the garden of No. 84 which are subject to a Tree Preservation Order and it is not considered that the trees will be impacted upon as a result of the development.

Representations have not yet been received from the Head of Corporate and Scrutiny Services (Tree Officer) but will be reported on as a late item.

Sustainability

The site is located within Hinckley and therefore benefits from a good degree of public transport links and services.

In line with Policy 24 of the Adopted Core Strategy, the residential units to be constructed on this site will need to be constructed to a minimum of Code Level 3 of the Code for Sustainable Homes. The details of the schemes compliance with this standard will be subject to the imposition of a planning condition.

The Head of Business Development and Street Scene Services (Waste Minimisation) states that it is important to allow space for placement of containers at the adopted highway and as such recommends a condition to secure a scheme for the provision for waste and recycling storage across the site.

Play and Open Space Contributions

The site is located within 400 metres of open space Kirfield Drive (amenity green space - informal). Due to the residential element of the development the proposal triggers a requirement for a contribution towards the provision and maintenance of play and open space in accordance with Policy REC3 supported by the Play and Open Space SPD.

The request for any developer must be considered alongside the guidance contained within Circular 05/05 and more recently in the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations confirm that where developer contributions are requested they need to be necessary to make the development acceptable in planning terms, directly related and fairly and reasonably related in scale and kind to the development proposed.

The quality of the Kirfield Drive play area has been considered within the Quality and Accessibility Audit of 2005 which awarded it a quality score of 42% within the Green Space Strategy 2005-2010. Hinckley, however was found to have sufficiency of 3.83 hectares for its population when compared with the National Playing Fields Standard. As such it is considered that the Local Planning Authority would be unable to put a case forward to suggest that there was a need for financial contributions to help improvements to amenity green spaces in Hinckley that would comply with the tests sets out in the CIL.

Biodiversity

It is not considered that there are any protected species on site and as such no further consideration on this matter is required. A neighbouring response has states that they wish to replace some of the lost habitat for amphibians and invertebrates, however this is not a planning consideration and is a private matter.

Conclusion

The principle of residential development in this location is considered acceptable. The scheme is considered characteristic of the area and is not considered to create any significant material harm to residential amenity, highway safety or protected species. In conclusion, no material impacts have been identified, that would indicate that the proposal is not in compliance with development plan policies. Accordingly, the application is recommended for planning permission, subject to the imposition of planning conditions.

RECOMMENDATION :- Subject to no significant material objections being received prior to the expiry of the consultation period on 18 April 2011 to grant planning permission for the development subject to the following 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, 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 as it is an acceptable dwelling within an existing residential setting that would not give rise to any significant materials impacts upon residential amenity, highway safety or protected species.

Hinckley & Bosworth Local Plan (2001):- Policies IMP1, RES5, REC3, BE1, NE14, T5, REC3.

Hinckley & Bosworth Borough Council Local Development Framework: Core Strategy (2009): - Policy 1, Policy 19, Policy 24.

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 be carried out in complete accordance with the details: OS Sitemap (1:1250); OS Sitemap (1:500) and drawing no. B10/10/P01 received by the Local Planning Authority on 7 March 2011 and amended details drawing no B10/10/P02A received by the Local Planning Authority on 8 April 2011.

3 No development shall commence until representative samples of the types and colours of materials to be used on the external elevations of the proposed dwelling have been deposited with, and approved in writing by, the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

4 No development shall take place until full details of both hard and soft landscape works, including defined residential curtilage, have been submitted

to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:-

a) Means of enclosure and boundary treatments.
b) Hard surfacing materials
c) Schedules of plants, noting species, plant sizes, planting plans and proposed numbers/densities where appropriate.
d) Implementation programme.

5 The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

6 Prior to the commencement of development, a Code for Sustainable Homes Design Stage Assessment demonstrating that the dwelling hereby approved can be constructed to a minimum of Code Level 3 shall be provided to the Local Planning Authority. The dwelling constructed pursuant to this permission shall not be occupied until a final certificate demonstrating that it has been constructed to a minimum of Code Level 3 has been provided to the Local Planning Authority.

7 The dwelling hereby approved shall not be occupied until the shared access drive has been fully laid out in accordance with the details shown on the submitted plan (B10/10/P01) and be available that way thereafter.

8 The dwelling hereby approved shall not be occupied until the car parking and turning facilities shown on drawing number B10/10/PO1 have been provided. Thereafter, such facilities shall remain permanently available for such use.

9 The dwelling hereby approved shall not be occupied until:-

a) a scheme that makes provision for refuse and recycling storage, and collection, across the site has been submitted to and approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities for the residents/collection crews across the site, and adequate collection point space at? the adopted public highway.

b) the approved details have been fully installed and made available for use.

10 The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first occupied.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order l995 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1 Classes A, B, C shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

12 No development shall commence 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 approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

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 external appearance to accord with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

4&5 In the interests of visual amenity to accord with Policy BE1 of the adopted Hinckley & Bosworth Local Plan

6 In the interests of sustainable development to accord with Policy 24 of the adopted Hinckley and Bosworth Local Development Framework Core Strategy.

7 To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway to accord with Policy T5 of the adopted Hinckley & Bosworth Local Plan.

8 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area to accord with Policy T5 of the adopted Hinckley & Bosworth Local Plan.

9 In the interests of visual amenity, to accord with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

10 To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy NE14 of the adopted Hinckley & Bosworth Local Plan and guidance contained within Planning Policy Statement 25 ‘Development and Flood Risk’.

11 To ensure that existing standards or privacy and visual amenity are maintained in accordance with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

12 To ensure the development has a satisfactory visual appearance and to safeguard the residential amenities of the locality, in accordance with the requirements of Policy BE1 of the adopted Hinckley and 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.

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).

Contact Officer:- Ebbony Mattley Ext 5691