

Delegated Report

Planning Ref: 24/00818/CONDIT
Applicant: Mr Adrian Burr
Ward: Burbage, St. Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: Land Rear of 5 – 15 The Coppice, Burbage

Proposal: Variation of Conditions 2 and 16 attached to planning application 21/00556/FUL. Amendments to design and materials.

1. Recommendations:

1.1. Grant planning permission for the variation of 21/00556/FUL subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description:

2.1. Section 73 of the Town and Country Planning Act 1990 allows applications for planning permission to be sought for the development of land without complying with conditions that were imposed on a previous planning permission.

2.2. In this case, planning permission for application 21/00556/FUL, which was allowed at appeal via APP/K2420/W/22/3297466, granted full planning permission for the provision of eight brick-built detached dwellings within a cul-de-sac development with associated access and landscaping at the Land to the rear of 5 – 15 The Coppice, Burbage.

2.3. The scheme consisted of two single storey bungalows and six two-storey properties, with a mix of two three- and four-bedroom properties and four five-bedroom properties. The properties had large footprints and were set within generous plots with front and rear gardens.

2.4. This Section 73 Application seeks planning permission for the variation of Conditions 2 (Approved Plans) and 16 (Parking and Turning Provision) of that planning permission to enable the development to be more modern and 'appealing.'

2.5. No amendments have been proposed to the site's proposed access, pedestrian link, and open space areas, and the development's layout, siting, and property capacities.

Plots 1 and 5:

2.6. Plots 1 and 5 have been revised through the slight increases in their height by 0.2m to 6.7m and the minor increases in their footprint from 201.6sqm to 203.6sqm. The dining room bay window has been replaced with a standard window.

- 2.7. The only differences between Plots 1 and 5 include the removal of the small gable on the front elevation and minor internal alterations to the kitchen, dining, sitting, and utility areas. No further major internal or external alterations have been proposed.

Plot 2:

- 2.8. Plot 2 has been subject to the following amendments:

- Amendments to the layout to incorporate a more distinct turn in the centre of the structure.
- Increase in the size of the garage door.
- Minor alterations to fenestration details including the provision of an overhanging flat roof to the front bay window.
- Minor internal alterations to the layout.
- Reduction in the footprint of the development from 190.4sqm to 189.7sqm.
- Reduction in the height of the structure by 0.1m to 8.5m.
- Removal of one of the chimneys.
- Revisions to the design of the porch including the replacement of the timber post supports to a stone feature that links into the design of the fronted gable above.

Plots 3, 4, and 6:

- 2.9. Plots 3, 4, and 6 feature the following amendments:

- 0.1m lower ridge height.
- 8.2sqm increase in overall footprint.
- Amendments to the design of the flat roofed rear extension including a 0.4m increase in its height.
- Incorporation of two matching gable-fronted pitched roofs on either side of the front and rear elevations.
- Provision of a mono-pitch roof for the bay window to the study.
- Relocation of the chimney from the centre to the northern side elevation.
- Removal of the lounge bay window.

- 2.10. Plot 6 is a flipped design of Plots 3 and 4.

Plots 7 and 8:

- 2.11. No amendments have been proposed to the size or footprint of Plots 7 and 8 but there is a very minor increase in the height of the roof and the former window on the front elevation has been increased in size.

Garages:

- 2.12. All garages within the development have increased in width and depth due to the increase in the thickness of the external walls. The structures also feature a 0.7m reduction in their ridge heights to 5.3m.
- 2.13. Following concerns raised by the Case Officer, the garages were revised to reincorporate the brick plinth detailing around Plots 1 and 5 and a brick banding detailing has been included on all the other garages. The proposed timber cladding has also been removed from the front elevation of the garages.

3. Description of the Site and the Surrounding Area:

- 3.1. The 0.9ha application site is located to the north, but outside of the identified settlement boundary of, Burbage within the designated open countryside and the Hinckley/ Barwell/ Earl Shilton/ Burbage Green Wedge. The Burbage Neighbourhood Plan (BNP) (2021) identifies the site and the land to the north of the site to comprise a series of Local Wildlife Sites.
- 3.2. The site is accessed via The Coppice, which is an adopted but unclassified public highway that is connected to Burbage Road (B4669) via Elm Tree Drive, which are all subject to a 30mph speed limit. Public Footpath U14 runs alongside the site's southern boundary and provides a link from Woodgate Road to Burbage Common.
- 3.3. The application site itself comprises grassed land that was previously utilised as a licenced waste site. There is a group of 16 trees along the south-western boundary of the site that are protected by a Tree Preservation Order (01/00003/TPORD). Three further trees along the northern boundary of the site, a tree in the southern corner of the site, and two groups of 8 trees, one of which is beyond the red line boundary of the site to east of the site are protected by another Tree Preservation Order (13/00003/TPORD). The site gently slopes and falls west-to-east away from the existing urban area.
- 3.4. The site is adjoined by existing residential development to the north and west of the site. The properties along The Coppice to the north consist of large, detached, two-storey dwellings that are separated from the site by a mixture of hedgerows and post-and-rail fencing.
- 3.5. 11 and 15 Woodgate Road are two large dormer bungalows that front onto the application site and are accessed by a private driveway that abuts the western boundary of the site. Consequently, although the application site is in the designated open countryside, the site's immediate relationship with the built edge of Burbage provides a visual experience of the site that is distinct from its wider farmland setting.

4. Relevant Planning History:**4.1 24/00265/DISCON**

- Application to partially discharge Condition 8 (Written Scheme of Investigation) on Appeal Decision APP/K2420/W/22/3297466 relating to application 21/00556/FUL.
- Partial Discharge of Condition.
- 18.04.2024

4.2 22/00014/PP

- Erection of No. 8 dwellings with associated access and landscaping
- Appeal Allowed.
- 27.09.2022

4.3 21/00556/FUL

- Erection of No. 8 dwellings with associated access and landscaping
- Refused.
- 27.10.2021

5. Publicity:

- 5.1. In accordance with Planning Practice Guidance (PPG), provisions relating to statutory consultation and publicity do not apply. However, local planning authorities have discretion to consider the scale or nature of the change warrants consultation. Therefore, the Local Planning Authority can choose how to inform interest parties.
- 5.2. In this instance, the application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site.
- 5.3. No responses have been received.

6. Consultation:

- 6.1 In accordance with Planning Practice Guidance (PPG), provisions relating to statutory consultation and publicity do not apply. However, local planning authorities have discretion to consider the scale or nature of the change warrants consultation. Therefore, the Local Planning Authority can choose how to inform interested parties.
- 6.2 In this instance, the Local Planning Authority formally consulted Burbage Parish Council on the application, who confirmed that they had no objections to the scheme.

7. Policy:**7.1 Core Strategy (2009):**

- Policy 4: Development in Burbage
- Policy 6: Hinckley/ Barwell/ Earl Shilton/ Burbage Green Wedge
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision
- Policy 20: Green Infrastructure

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- 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: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Burbage Neighbourhood Plan 2015 – 2026 (BNP) (2021):

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout
- Policy 4: Parking
- Policy 5: Footpaths and Cycleways
- Policy 8: Local Wildlife Sites
- Policy 12: Important Trees

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.5 Other Relevant Guidance:

- Good Design Guide (2020)
- Hinckley/ Barwell/ Earl Shilton/ Burbage Green Wedge Review (2020)
- Landscape Character Assessment (LCA) (2017)
- Leicestershire Highway Design Guide (LHDG) (2022)

8. Appraisal:

- 8.1. In accordance with Planning Practice Guidance (NPPG), there is no statutory limit on the degree of change permissible to conditions under Section 73 applications, but the change must only relate to conditions and not to the operative part of the permission. The operative part of the planning permission being the description of the development.
- 8.2. The principle of the development has already been established through the earlier grant of the extant planning permission on the site via the allowed appeal decision APP/K2420/W/22/3297466.
- 8.3. Therefore, the key issues in respect of this application are:
- Design and impact upon the character of the area
 - Other Issues
 - Conditions

Design and Impact upon the Character of the Area:

- 8.5 Paragraph 140 of the NPPF confirms that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion as a result of changes being made to the permitted scheme; for example, through changes to approved details such as the materials used.
- 8.6 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.7 No amendments have been proposed to the site's access, pedestrian link, and open space areas, nor the development's layout, siting, and property capacities.
- 8.8 The proposal makes several amendments to each plot including, but not limited to, minor increases in size, scale, and height, and revisions to the materials, the design of the fenestration, and internal alterations.
- 8.9 Following concerns raised by the Case Officer, the garages were revised to reincorporate the brick plinth detailing around Plots 1 and 5 and a brick banding detailing has been included on all the other garages. These details are considered to retain the quality of the design of the scheme and support the association of the garages with their respective residential properties.
- 8.10 It is noted that there are several amendments to the materials of the development, but not details of the specific materials have been submitted within this application. The Applicant has informed the Local Planning Authority that they are seeking approval for the materials of the development via a Discharge of Conditions application for Condition 12 (Materials) of 21/00556/FUL.

- 8.11 By virtue of these factors, the proposal is not considered to materially diminish the quality of the development in comparison to the approved scheme, nor adversely impact the protected trees within the site, or the character of the surrounding area. Therefore, the proposal is in accordance with Policies 2, 4, and 12 of the BNP, Policies DM4 and DM10 of the SADMP, and the Good Design Guide.

Other Issues:

- 8.12 The proposed amendments to the eight dwellings do not affect the massing, siting, or layout of the properties. The minor amendments to the position and design of windows and the dwellings within the scheme are not considered to result in any significant adverse impacts to the residential amenity of neighbours or the future occupants of the scheme in comparison to the scheme approved within the extant planning permission.
- 8.13 The development makes no amendments to the site access, the road layout, nor the parking provision within the site. Therefore, the scheme is not considered to result in any significant adverse impacts to highway safety or off-street parking provision.
- 8.14 Therefore, the application and the development remain compliant with Policies DM10, DM17 and DM18 of the SADMP and Policies 2 and 4 of the BNP.

Conditions:

- 8.15 Permission granted under Section 73 takes effect as a new independent permission to carry out the same development as previously permitted, subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and un-amended. It is open to the Applicant to decide whether to implement the new permission or the one originally granted.
- 8.16 Therefore, in accordance with PPG, a Section 73 decision notice should set out all the conditions imposed on the new permission, and, for the purpose of clarity, restate the conditions imposed on earlier permissions that continue to have effect.
- 8.17 Planning permission 21/00556/FUL was subject to 17 planning conditions.
- 8.18 Time cannot be extended or altered for Section 73 applications and, as such, Condition 1 (Time) needs to refer to the original 3-year time scale for implementation of the development.
- 8.19 Condition 2 (Approved Plans) requires amending to specify the new revised plans.
- 8.20 Condition 03 (Construction and Environmental Management Plan) remains reasonable and necessary to protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the SADMP.

- 8.21 Conditions 04 (Land Contamination) and 05 (Post-Investigation Land Contamination) remain reasonable and necessary to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the SADMP.
- 8.22 Condition 06 (Gas Protection Measures) remains reasonable and necessary in order to safeguard human health and to ensure that the necessary measures are taken to avoid any risk to public safety in accordance with Policy DM7 of the SADMP.
- 8.23 Condition 07 (Surface Water Drainage Strategy) remains reasonable and necessary to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to minimise the risk of pollution in accordance with Policy DM7 of the SADMP.
- 8.24 Condition 08 (Written Scheme of Investigation) was partially discharged via 24/00265/DISCON. The outstanding elements of this Condition including the archaeological investigation and the submission of the results of this investigation remain reasonable and necessary to ensure satisfactory archaeological investigation, recording, dissemination, and archiving in accordance with Policy DM13 of the SADMP and Section 16 of the NPPF.
- 8.25 Condition 09 (Protective Tree Fencing) remains reasonable and necessary to ensure the existing trees and hedgerows to be retained are adequately protected during construction in the interests of the visual amenities of the area to accord with Policies DM6 and DM10 of the SADMP.
- 8.26 Condition 10 (Hard & Soft Landscaping) remains reasonable and necessary to ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the SADMP.
- 8.27 Condition 11 (Landscape Planting) remains reasonable and necessary to ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the SADMP.
- 8.28 Condition 12 (Material Details) needs to be revised to ensure that the condition secures details for all proposed materials to ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the SADMP. It is noted that the Applicant has submitted a Discharge of Conditions application to address this condition.
- 8.29 Condition 13 (Ecological Mitigation and Enhancement Measures) remains reasonable and necessary to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the SADMP. It is also noted that the appeal decision, APP/K2420/W/22/3297466, was accompanied by a Unilateral Undertaking that ensures an Ecological Mitigation and Enhancement Strategy is submitted to the Local Planning Authority prior to the commencement of the development.

- 8.30 Condition 14 (Access Arrangements) remains reasonable and necessary to ensure that vehicles entering and leaving the site may pass each other clear of the highway in a slow and controlled manner in the interests of general highway safety and in accordance with the NPPF.
- 8.31 Condition 15 (Waste Collection) remains reasonable and necessary to ensure that there is adequate provision of waste and recycling storage so that the amenity of the occupants of the proposed development are not adversely affected in accordance with Policy DM10 of the SADMP.
- 8.32 Condition 16 (Parking and Turning Provision) requires amending to refer to the new revised plans.
- 8.33 Condition 17 (External Lighting) remains reasonable and necessary order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the SADMP.
- 8.34 All the conditions remain reasonable and necessary to ensure satisfactory development of the site. No additional conditions are considered to be necessary.

9. Equality Implications:

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion:

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission is granted, subject to amended conditions. No additional conditions are considered necessary.

11. Recommendation:

- 11.1 **Grant planning permission for the variation of 21/00556/FUL** subject to:

- Planning conditions detailed at the end of this report.

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission 21/00556/FUL on 27 September 2025.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
- Location Plan drg no. 12/71 35 (submitted: 30.04.2021)
 - Proposed Elevations and Floor Plans 12 71 140 P – Type F – Plot 1. (submitted: 27.08.2024)
 - Proposed Elevations and Floor Plans 12 71 141 P – Type C – Plot 2 (submitted: 27.08.2024)
 - Proposed Elevations and Floor Plans 12 71 142 P – Type G – Plot 3 and 4 (submitted: 27.08.2024)
 - Proposed Elevations and Floor Plans 12 71 143 P – Type F – Plot 5 (submitted: 27.08.2024)
 - Proposed Elevations and Floor Plans 12 71 144 P – Type G – Plot 6 (submitted: 27.08.2024)
 - Proposed Elevations and Floor Plans 12 71 145 P – Type B – Plot 7 (submitted: 27.08.2024)
 - Proposed Elevations and Floor Plans 12 71 146 P – Type B – Plot 8 (submitted: 27.08.2024)
 - Proposed P1 & P5 Garages Floor Plans and Elevations (12/71 148B) (submitted: 16.10.2024)
 - Proposed P3 Garage Floor Plan and Elevations (12/71 149B) (submitted: 16.10.2024)
 - Proposed P4 Garage Floor Plan and Elevations (12/71 150B) (submitted: 16.10.2024)

- Proposed P6 & P7 Garages Floor Plans and Elevations (12/71 151B) (submitted: 16.10.2024)
- Proposed P8 Garage Floor Plan and Elevations (12/71 152B) (submitted: 16.10.2024)
- Site Detail (HAS/20-019/02) (Rev E) (submitted: 30.04.2021)
- Site Layout 12 71 26R – P (submitted: 27.08.2024)

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall include the following details: the provision made for the parking of vehicles by contractors, site operatives and visitors; the storage of plant and materials used in construction of the development; the erection and maintenance of security hoarding; measures to control the emission of noise during construction; measures to control the emission of dust and dirt during construction; details of how the site will be drained during construction. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. No development shall commence until a site investigation scheme dealing with contamination, any resultant remediation measures, verification these measures have taken place and details of any necessary future monitoring has been submitted to and approved in writing by the Local Planning Authority. The site shall be developed in accordance with these approved details.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. If during development any contamination not previously identified is found to be present, then development in areas impacted by that finding shall cease until additional remediation measures to deal with the unsuspected contamination have been submitted to and approved in writing by the Local Planning Authority. The site shall be developed in accordance with these approved details.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7

of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. No development shall commence until a scheme of gas protection measures as recommended within the submitted report on Ground Investigation by Nicholls Colton Geotechnical Ref G16195-IR has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: In order to safeguard human health and to ensure that the necessary measures are taken to avoid any risk to public safety as the site lies within 250 metres of a known landfill/ made up ground site and in the absence of detailed information which demonstrates that the site does not have ground gas egress in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. No development shall commence until a surface water drainage strategy and associated maintenance details, incorporating sustainable drainage principles, (SuDS), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be developed and maintained in perpetuity in accordance with these approved details. This drainage scheme shall not include any infiltration of surface water drainage on any land affected by contamination unless this has been agreed by the Local Planning Authority under the terms of Condition 4 above.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to minimise the risk of pollution in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. The development hereby permitted shall be carried out in accordance with the archaeological works including investigation, monitoring, and subsequent reporting, archiving, and deposition works that are detailed in the Written Scheme of Investigation (WSI), which was submitted on 21 March 2024 and approved via Discharge of Conditions application 24/00265/DISCON, prior to its occupation.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination, and archiving in accordance with Policy DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Section 16 of the National Planning Policy Framework (December 2023).

9. No development shall commence until protective fencing has been erected around all trees not scheduled for removal in accordance with the submitted Arboricultural Impact Assessment Ref 1241-AIA-V1-B. Thereafter the protective fencing shall be retained for the duration of the works and in

accordance with the above report and the recommendations of BS5837:2012. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced areas; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure the important existing trees and hedgerows to be retained are adequately protected during construction in the interests of the visual amenities of the area to accord with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. No development shall commence until a hard and soft landscaping scheme, to include full boundary treatment details, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all existing trees and hedgerows to be retained and shall be carried out in full prior to the first occupation of the development or in accordance with a programme to be agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. No building shall be constructed above damp proof course level until representative details of the types and colours of materials to be used on the external elevations of the dwellings hereby permitted have been approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. No occupation of any dwelling shall take place until a scheme of on-site Ecological Mitigation and Enhancement Measures, to broadly accord with the various measures depicted upon the submitted Ecological Mitigation and Enhancement Plan (Ref Plan ECO2 Rev E) and to include a timetable for delivery and maintenance programme, has been submitted to and approved in writing by the Local Planning Authority. The measures identified shall be delivered in accordance with the approved timetable and maintained in perpetuity in accordance with the approved maintenance programme.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

14. No occupation of any dwelling shall take place until the access arrangements shown on approved plan 12/71 26P have been provided in accordance with that plan and implemented in full. The access arrangements shall thereafter be so retained.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

15. No occupation of any dwelling shall take place until a waste collection scheme that makes adequate provision for the storage and collection of waste has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme, and the approved storage and collection facilities shall be retained at all times thereafter.

Reason: To support the policies within the Wheeled Bin and Container Policy (updated March 2018) and to ensure that there is adequate provision of waste and recycling storage so that the amenity of the occupants of the proposed development are not adversely affected in accordance with Hinckley and Bosworth Borough Council's Wheeled Bin and Contained Policy (updated March 2018), Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Section 46 of the Environmental Protection Act 1990.

16. No dwelling shall be occupied until the parking and turning provision for that dwelling have been implemented in accordance with:
- Proposed P1 & P5 Garages Floor Plans and Elevations (12/71 148B) (submitted: 16.10.2024)
 - Proposed P3 Garage Floor Plan and Elevations (12/71 149B) (submitted: 16.10.2024)

- Proposed P4 Garage Floor Plan and Elevations (12/71 150B) (submitted: 16.10.2024)
- Proposed P6 & P7 Garages Floor Plans and Elevations (12/71 151B) (submitted: 16.10.2024)
- Proposed P8 Garage Floor Plan and Elevations (12/71 152B) (submitted: 16.10.2024)
- Site Layout 12 71 26R - P (submitted 27.08.2024)

The approved parking and turning facilities shall thereafter be so retained.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

17. No external lighting shall be installed unless details of the position and type of lighting have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any approved details.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **Notes to Applicant:**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.