

Delegated Report

Planning Ref: 24/01010/CONDIT
Applicant: DALE HIGGOTT
Ward: Hinckley



Hinckley & Bosworth
Borough Council

Site: 236 Ashby Road, Hinckley, LE10 1SW

Proposal: Application to vary condition 2 of 23/00567/CONDIT. Changes to design of the proposed dwellings and position on site

Recommendations

- 1.1. **Grant planning permission** subject to
- Planning conditions outlined at the end of this report.

Planning application description

- 2.1. Application 23/00567/CONDIT was for the 'Variation of Condition 2, 10 and 13 of planning permission 21/00130/FUL (Planning Appeal ref: APP/K2420/W/21/3288892). Amendment to relocate garage and replace Appeal Approved Drawings ref: 1882-SP-002C and 1882-SP-007B (visibility splay) with new revision Drawings ref: 1882-SP-002D and 1882-SP-007C'.
- 2.2. The current proposal is to 'vary condition 2 of 23/00567/CONDIT. Changes to design of the proposed dwellings and position on site'
- 2.3. Condition 2 attached to 23/00567/CONDIT is repeated below:
- 'The development hereby permitted shall be carried out in accordance with the following approved plans: 1882-LP-003; 1882-SP-002D; 1882-EV-006; 1882-SK-004A; 1882-SK-005A; 1882-SP007C; Arboricultural Impact Assessment, reference 210210 1121 AIA V1 dated 22nd February 2021; Ecology Impact Statement, reference C2506-1 dated 30th September 2020'
- 2.4. The agent has clarified the proposed is for the approved bungalows to be changed from dormer to traditional bungalows with the same depth as approved but the width increased from 10.65 to 12m, so 12 x 12m to allow 3 beds on a single floor layout.
- 2.5. This means no upstairs windows looking into the garden of 238 and a reduction in ridge height from nearly 7m to 5.5m. This is achieved by lowering the pitch angle from 35 to 25 degrees.
- 2.6. The bungalows are to be moved 5m further away from 236 Ashby road to allow parking in front instead of to the side and to allow space for a detached outbuilding to the front of plot 1. The proposed distance between the existing and the proposed dwellings would be increased from the approved 27m to 32m. 4 parking spaces are also proposed, 2 at the front of each dwelling.
- 2.7. This also means the bungalows are further away from No 238. The new roadway remains unchanged.
- 2.8. The proposed Condition would, as a result of this proposal, read:
- The development hereby permitted shall be carried out in accordance with the following approved plans: 1659/SL received 19th November 2024, 1659-1, 1659-2, 1659-3 received 1st November 2024; Arboricultural Impact Assessment, reference

210210 1121 AIA V1 dated 22nd February 2021; Ecology Impact Statement, reference C2506-1 dated 30th September 2020.

Description of the site and surrounding area

- 3.1. The Acorns is a large 20th century detached dwelling with extensive mature gardens well screened from its surroundings. It is located on the eastern side of the A447 Ashby Road, close to the junction with the A47 Normandy Way and currently has a double 'in/out' access onto Ashby Road. There are neighbouring dwellings to each side backing onto open countryside (no 238) and allotments (no 234). The furthest part of the rear garden of The Acorns also abuts the allotment gardens on Normandy Way to the south and the open countryside to the north which forms part of the Hinckley, Barwell, Earl Shilton and Burbage Green Wedge. The boundary of the Green Wedge bisects the rear garden of The Acorns approximately half way between the house and the end of the garden in an area where there is currently a tennis court and a shed.
- 3.2. This part of Ashby Road is characterised by similar dwellings in spacious plots which front directly onto Ashby Road.

Relevant planning history

23/00567/CONDIT

- Variation of Condition 2, 10 and 13 of planning permission 21/00130/FUL (Planning Appeal ref: APP/K2420/W/21/3288892). Amendment to relocate garage and replace Appeal Approved Drawings ref: 1882-SP-002C and 1882-SP-007B (visibility splay) with new revision Drawings ref: 1882-SP-002D and 1882-SP-007C
- Permitted
- 16.08.2023

21/00130/FUL

- Erection of two dwellings
- Refused but approved at appeal 15/09/2022

96/00427/COU

- Change of use to nursery
- Permitted
- 24.07.1996

97/00697/CONDIT

- Continued use of premises without compliance with conditions 1 and 2 of consent 96/00427/COU (permanent consent and increase in number of children)
Permitted
18.09.1997

75/01704/4M

- Extension to dwelling granny flat
Permitted
30.12.1975

74/01103/4M

- Extension to garage

- Permitted
- 26.11.1974

Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. 3 letters of representation were received, objecting to the proposal. The main summarised points of objection:
 - Access for neighbouring dwellings will be more difficult with cars on the road
 - Trees have been burned. Was this approved?
 - Where is the garage for the existing dwelling?
 - What is the height?
 - Drawings to be to scale- and as mentioned the correct border with 238 to be put in
 - The position of the house and rear building at 238 do not look to be to scale and are closer to 236 than shown
 - The position to be shown of the garage for the main house- missed off the drawing
 - The height of all of the garage/s and appearance of the garages
 - Why has the turning point been removed and an extra garage put in close to the 238 border?
 - Why has the bungalow at plot 1 been moved closer to the border with 238?
 - Clarification as to who the applicant is as it is not being done for the existing owner of 236 Ashby Road who is only retaining the house and garden immediately around it. 236 has been vacant since circa April 2024 as they have moved to the south coast to another house they have bought.
 - The borders to be clearly shown for the existing house and the garden and drive area it is retaining
 - The borders to be clearly shown for each proposed bungalow
 - The height of the bungalows and the height of the side windows
 - New location for the bins
 - H & H (the Developers) are not the owners of the land as claimed and weren't the owners when the application was submitted
 - Plot 1 would be wider and closer to the common boundary with 238
 - Object to Plot 1's side windows
 - Overlooking
 - Garage is very close to the common boundary and overbearing
 - The road, turning points and access has been changed.
 - No visitor parking or parking for delivery vehicles
 - No room for emergency vehicles

Consultation

- 6.1. LCC Ecology- No objections
- 6.2. LCC Highways- No objections
- 6.3. HBBC Drainage- No objections
- 6.4. LCC Minerals- No objections
- 6.5. LCC Archaeology- No objections
- 6.6. HBBC Pollution- No objection
- 6.7. HBBC Waste- No further comments

Policy

7.1. Core Strategy

- Policy 6: Hinckley/Barwell/Earl Shilton/Burbage Green Wedge

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: 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. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

Appraisal

7.5 Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Ecology
- Drainage & Pollution
- Other issues

Assessment against strategic planning policies

7.6 This application is to vary condition 2 of 23/00567/CONDIT. Changes to design of the proposed dwellings and position on site attached to planning permission 23/00567/CONDIT.

7.7 The principle of development has already been established in application 21/00130/FUL.

Design and impact upon the character of the area

7.8 Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally. This is essentially also reflected in the provisions of Policy DM4 of the adopted SADMP.

7.9 Policy DM4 states that to protect the intrinsic value, beauty, open character and landscape character, the countryside will be safeguarded from unsustainable development. Sustainable development should not undermine the physical and perceived separation and open character between settlements.

- 7.10 Policy 6 of the Core Strategy requires development within the Green Wedge to 'retain the function of the Green Wedge' and the 'visual appearance of the area'.
- 7.11 Application 21/00130/FUL for the erection of 2 dwellings to the rear of 236 Ashby Road has been approved. Application 23/00567/CONDIT was approved for Variation of Condition 2, 10 and 13 of planning permission 21/00130/FUL (Planning Appeal ref: APP/K2420/W/21/3288892). Amendment to relocate garage and replace Appeal Approved Drawings ref: 1882-SP-002C and 1882-SP-007B (visibility splay) with new revision Drawings ref: 1882-SP-002D and 1882-SP-007C.
- 7.12 The current proposal changes the approved dormer bungalows to traditional bungalows, increases the width of the bungalows by approx. 1.5m and reduces the height of the bungalows from 7m to 5.5m. The distance between No. 236, 238 and the dwellings for plot 1 & 2 would be increased by 5m (from 27m to 32m). Parking would now be to the front of the dwellings and an outbuilding (5.3m by 5.4m with a ridge height of 3.75m) is proposed to the front of the dwelling for Plot 1. The purpose of the current proposal is to allow 3 beds on a single floor layout & to make it more convenient for the future occupants.
- 7.13 Notwithstanding the fact that part of the site is within the Green Wedge, there is no built development proposed by the application within the Green Wedge and beyond the settlement boundary. It would remain residential garden as it is now and the mature landscaping in this area does not require removal. There would be no change of use. For this reason it is considered that there is no loss of function of the Green Wedge and the visual appearance of the area would be retained in accordance with the requirements of Policy 6 of the Core Strategy. The development would not result in harm to the countryside potentially identified by Policy DM4 of the SADMP, as the absence of built development or a change of use would not undermine the physical and perceived separation or open character between settlements.
- 7.14 A condition removing householder permitted development rights was included on the original consent and is to be retained in respect of the residential curtilage of the two new dwellings in order to control future ancillary development upon the Green Wedge and open countryside.
- 7.15 The development of 2 additional dwellings in a backland location behind the existing dwelling at number 236 Ashby Road has been assessed in the original application. Whilst this is not characteristic of the area it is not unacceptable in principle and was considered in terms of its relationship to the existing built form and its visual impact on the locality. The Good Design Guide Supplementary Planning Guidance states that some sites may be able to accommodate Backland Development whereas others will not.
- 7.16 The proposed changes to the layout of the scheme are relatively inconspicuous and modest in scale and nature & would have no adverse impacts upon the character of the site or surrounding area and would enhance the visual appearance of the wider landscape. The revised scheme would therefore remain in accordance with Policy DM4 of the adopted SADMP.
- 7.17 The proposed scale and materials of the amended outbuilding would be consistent with that of the surrounding properties. Furthermore the reduction in the scale of the bungalows is welcomed as whilst the former designs were judged acceptable, the amendments reduce the scale of the development.
- 7.18 To summarise, the proposed development is considered to meet acceptable standards of design that are proportionate to the scale of the development and would complement the character of the surrounding area with regard to scale, layout, density,

mass, design, materials and architectural features in accordance with Policy DM10 of the SADMP. It also complies with the advice within the Good Design Guide.

- 7.19 By virtue of the siting, layout, scale, design and appearance, the scheme would be in keeping with the character of the surrounding area and would therefore be in accordance with the relevant criteria of Policies DM4 and DM10 of the SADMP and Policy 6 of the Core Strategy.

Impact upon neighbouring residential amenity

- 7.20 Policy DM10 of the SADMP identifies that development should not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion.

- 7.21 The Good Design Guide SPD outlines that development will need to provide high quality internal amenity space as this is critical to the quality of life of residents. The guide states that new developments should meet minimum standards of garden sizes and separation distances between dwellings. The National Design Guide also promotes a healthy, comfortable and safe internal and external environment.

- 7.22 Paragraph 135 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 7.23 The various elements being proposed are outlined above. The proposed would keep a 1.5m distance from the northern elevation of Plot 1 to the common well screened northern boundary. The 2 bathroom windows facing this boundary would be obscure glazed by condition. The height of the proposed dwellings is being reduced from 7m to 5.5m and now no dormer windows are being proposed. This reduces overlooking and improves privacy for adjacent neighbours. The proposed outbuilding for plot 1 would have a pitched roof with a ridge and eave height of 3.75m & 2.325m respectively and be approx. 1.5m from the well screened northern boundary. This outbuilding would be the closest part of the new development to No. 236 & No. 238, both of which would be approx. 12m away. The proposed dwellings would be 23m from No. 238 and 32m from No. 236. Suitable separation distance is being kept between the dwellings and the outbuilding is of a suitable size and design. The proposed would not be overbearing on No. 236 or No. 238 and is an improvement on the approved, in terms of impacts on residential amenity.

- 7.24 The dwelling at 238 Ashby Road is set off the common boundary by approx. 7m and the boundary would be fenced with a 1.8m high close boarded fence with a row of intervening trees approx. 6m tall between it and the proposed dwellings. Windows on the northern elevation of Plot 1 are to be obscure glazed. Therefore by virtue of this distance and relationship there would be no overbearing impact or significant impacts on privacy for this neighbouring residential property.

- 7.25 234 Ashby Road would be forward of & separated from the side elevation of the approved single bay garage for the host property by the new driveway & an approx. distance of 13m. This boundary is also well screened. The proposed would have no detrimental impact on this neighbours amenity.

- 7.26 Therefore, it is considered that the proposed scheme would be in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

7.27 Policy DM17 of the SADMP states that all new development should be in accordance with the highway design standards. Policy DM18 ensures that development provides appropriate parking provision. Paragraph 116 of the Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.

7.28 The Local Highway Authority (LHA) has been re-consulted on application 24/01010/CONDIT for the variation of Condition 2 attached to 23/00567/CONDIT, following the submission of an amended site plan, drawing number 1659/SL. The LHA has reviewed the revised plan and provides detailed comments below;

The four car parking spaces have been moved slightly closer to the dwellings and on the amended site plan, the Applicant has increased the drive width to the rear of these spaces. It appears that the proposed garage remains unaltered from the previous site plan. The widening of the access drive and relocation of the four parking spaces will provide 6 metres of manoeuvring space to the rear of the proposed car parking spaces. The parking spaces would remain of an acceptable width, though they are below the Leicestershire Highway Design Guide (LHDG) standard for length, measuring 5.1 metres in comparison to Figure DG13's requirement of 5.5 metres. However, though substandard in comparison with the LHDG, the LHA is satisfied that there will be sufficient space on site to ensure that these spaces will now be usable. The proposed garage measures 5.3 metres across in total, and each of the two internal sections measure 2.5 metres across which is below the minimum requirements of paragraph 3.200 of the LHDG, and as previously stated, will not be considered towards the overall parking space provision of each dwelling. However, as demonstrated on the amended plan, the parking spaces may now be considered usable and therefore each of the two three-bedroom bungalows would be provided with two car parking spaces which is acceptable in accordance with paragraph 3.151 of the LHDG requiring two spaces for each three-bedroom dwelling in rural or built-up areas. Considering all of the above, the LHA does not object to the Variation of Condition 2 of 23/00567/CONDIT.

7.29 Therefore, subject to conditions, the proposal would be considered in accordance with Policies DM17 and DM18 of the SADMP.

Ecology & Trees

7.30 Policy DM6 of the SADMP seeks to protect, preserve and enhance biodiversity within the borough.

7.31 An arboricultural report was submitted with the original application which indicates a total of 22 trees and 15 groups of trees were surveyed on the property. Of these, the development proposes the removal of 8 trees and six groups. The majority of the trees on the site are category C trees (low value) and 7 are category B trees (moderate value). None are category A trees and the site is not subject to a Tree Preservation Order or within a Conservation Area. The proposed removal is in respect of low quality trees with very limited visibility from beyond the site boundaries and only one category B tree. This is a weeping willow which is immediately to the rear of proposed dwelling 1.

7.32 A tree root protection system was proposed as part of the new access which will ensure good water infiltration and reduce soil compaction for trees and landscaping along the boundary. Although some trees would be removed in this area to facilitate access, only one category B tree is located in this area (eucalyptus) which is within the adjacent garden of number 234 Ashby Road. This tree is retained and the root protection system will safeguard its future. Conditions relating to tree protection during construction and the use of the ProtectaWeb root protection system are proposed. As part of the original application four new trees were proposed between the rear of the existing dwelling and the new dwellings and a condition was also proposed to secure and

maintain these new trees. It was considered that the loss of trees would not be significant in terms of the overall visual amenity of the landscaping on the site and the benefits to the natural environment.

7.33 The original application was also accompanied by an Ecology Impact Assessment which concluded that there's a low likelihood of the development impacting upon protected species or their habitats. The new dwellings are located on the tennis court which is hard surfaced and has limited potential for wildlife. The report advises that there is no evidence of bat roosting within the site and the predominance of non-native species means that foraging opportunities are also quite limited. The two ponds in the area have a below average suitability for Great Crested Newts. However, there is bird nesting and foraging potential and the report recommends that biodiversity enhancements can be secured by additional planting and the provision of bird / bat boxes.

7.34 The County Ecologist has no objections to the application.

7.35 The application would not significantly adversely impact features of nature conservation and together with mitigation measures secured through conditions, safeguards the natural environment in accordance with Policy DM6 of the SADMP.

Drainage & Pollution

7.36 Policy DM7 states that development should not create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against. Adverse impacts from pollution and flooding will be prevented by ensuring that development proposals will not adversely impact on water quality, ecological value or drainage function, avoid obtrusive light intrusion, noise pollution and air quality.

7.37 The site is within Flood Risk zone 1 (low risk) as identified by the Environment Agency. However, the application indicates that a sustainable drainage system (SUDs) is proposed incorporating attenuation measures to prevent increased surface water runoff. A condition is proposed requiring technical approval of a drainage scheme prior to commencement of the development. The Council's Drainage Engineer and Environmental Services Officer has no objections to the proposal.

7.38 There would not be a significant increase in pollution as a result of the proposal that would justify a refusal of the application. The application therefore complies with Policy DM7 of the adopted SADMP.

Equality implications

8.0 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.

8.1 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application. There are no known equality implications

arising directly from this development.

- 8.2 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).

Conclusion

- 9.0 The proposal remains acceptable in principle, would not result in any adverse impact to the character or appearance of the area, neighbouring amenity, highways, flooding/drainage, ecology or trees. The proposal is therefore considered to accord with Policy DM1, DM4, DM6, DM7, DM10, DM17 and DM19 of the SADMP and Policy 6 of the Core Strategy.

Recommendation

10.1 Grant planning permission subject to

- Planning conditions outlined at the end of this report

10.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of appeal decision APP/K2420/W/21/3288892 (15th September 2022).

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1659/SL & 1659-3 received 18th December 2024, 1659-1 & 1659-2 received 1st November 2024; Arboricultural Impact Assessment, reference 210210 1121 AIA V1 dated 22nd February 2021; Ecology Impact Statement, reference C2506-1 dated 30th September 2020.

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1, DM10, DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document.

3. No development shall commence on the site until a construction traffic management plan for construction vehicle parking and the unloading / storage of materials with a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies DPD (2016) & in the interests of highway safety.

4. Development shall not begin until surface water drainage details and calculations, incorporating sustainable drainage principles (SuDS) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved

details prior to the completion of development and shall be retained thereafter.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD (2016) and Paragraph 182 of the NPPF (2024).

5. Before any development commences on the site, including site works of any description, a final Tree Protection Plan, Exclusion Zone and detailed method statement shall be prepared by a suitably qualified arboriculturist shall be submitted to and approved in writing by the local planning authority. The plan shall include protective barriers to form a secure construction exclusion zone and root protection area in accordance with British Standard 5837:2012 Trees in relation to design, any trenches for services are required within the fenced-off areas, they shall be excavated and back-filled by hand and any tree roots or clumps of roots encountered with a diameter of 25cm or more shall be left un-severed. The development shall be implemented in accordance with the approved Tree Protection Plan.

Reason: To ensure that the remaining trees on the site are retained and protected in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016) and Paragraph 136 of the NPPF (2024).

6. No development shall take place until the ProtectaWeb System as identified in Appendix 4 of the Arboricultural Impact Assessment by Wharton dated 22nd February 2021 is installed in accordance with the approved details and shall be maintained as such so long as the development remains.

Reason: To ensure that the remaining trees on the site are retained and protected in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016) and Paragraph 136 of the NPPF (2024).

7. Demolition or construction works shall take place only between 07:30 and 18:00 on weekdays and 08:00 and 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies DPD (2016).

8. No development shall take place above slab level until details of the new tree planting including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority. The scheme shall be carried out in full accordance with the approved landscaping scheme prior to occupation of the new dwellings. The soft landscaping scheme, including the retained trees as identified on the approved plans 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.

Reason: In the interests of visual amenity and to enhance the appearance of the development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. Prior to any construction above slab level, details of electric vehicle charging points for each new dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of any new dwelling.

Reason: To maximise opportunities for sustainable energy and transport in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 159 of the NPPF (2024).

10. No part of the development hereby permitted shall be occupied until the access arrangements and visibility splays shown on the approved drawing no. 1822-SP-007C associated with 23/00567/CONDIT has been implemented in full and shall be permanently retained thereafter, with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

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 NPPF (2024).

11. The development hereby permitted shall not be occupied until the parking and turning facilities have been implemented in accordance with drawing no. 1659/SL. Thereafter the onsite parking provision shall be so maintained permanently in perpetuity.

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 NPPF (2024).

12. The development hereby permitted shall not be occupied until the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained permanently in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the NPPF (2024).

13. The new dwellings shall not be occupied until the waste storage and collection facilities have been provided in accordance with the approved drawing no. 1882-SP-002D of 23/00567/CONDIT and these facilities shall be retained permanently thereafter.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD (2016).

14. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwellings shall be carried out or outbuildings erected in the curtilage of either new dwelling.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

15. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, unless hung to open away from the highway.

Reason: in the interests of highway safety and in accordance with the NPPF (2024).

16. All bathroom windows indicated as obscure glazing on the approved plans are to be obscure glazed in perpetuity.

Reason: To protect neighbouring amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10.3 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. This Authority charges for the discharge of conditions. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
4. Rainwater from the detached garage roof should be positively drained into a Suitable water butt, soakaway or domestic drainage system, and not be permitted to discharge directly onto the surface of the application site and neighbouring properties.

