

Delegated Report

Planning Ref: 24/01156/OUT
Applicant: Mr Collins
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: Land southeast of Tesco Ltd, London Road, Hinckley

Proposal: Outline planning permission for residential development (all matters reserved except for access)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report

2. Planning Application Description

2.1. This planning application seeks outline planning permission for the provision of residential development at the Land southeast of Tesco, London Road, Hinckley. Only access is sought for approval within this outline application and all other matters are reserved. The site shall be accessed via London Road.

2.2. The precise appearance of the scheme is reserved for later approval; therefore, the extent of the application is described and assessed via the indicative scales and appearance of the submitted plans. The application is accompanied by the following reports and documents:

- Design and Access Statement
- Illustrative Site Plan
- Illustrative Visuals
- Site Location & Block Plan
- Transport Statement

2.3. Indicatively, the proposal includes two dwellings to the southwest and rear of the site and two one-bedroom apartments on the first floor of a property that features an undercroft to provide access to the two plots to the rear of the site. The Illustrative Site Plan suggests that the two dwellings comprise a two-bedroom unit and a three-bedroom unit.

2.4. Given the description of the planning application, which does not refer to any particular number of dwellings, planning permission is, in effect, only sought for the principle and access of one residential unit. The agent confirmed on 14 February 2025 that the description of the application did not need to be altered as the detailed design and capacity of the proposal was subject to change.

3. Description of the Site and the Surrounding Area

- 3.1. The 812sqm application site is to the southeast of, and within the identified settlement boundary of Hinckley. The site is bounded by, and accessed by, London Road to the northeast, which is an adopted and classified 'B' road (B4669) that is subject to a 30mph speed limit. Beyond London Road to the north is the wider residential built form of Hinckley via Forest Road.
- 3.2. Tesco Express bounds the site to the north, which was approved via planning applications 08/00317/FUL, 07/01136/FUL, and 06/01360/FUL. The Leicester to Birmingham Rail Line borders the eastern side of the site. Beyond the railway line is an existing employment site within Burbage that comprises a variety of commercial units including a gym, an upholstery centre, amongst others. To the south and west of the application site are residential properties along Parson's Lane and Mistral Close.
- 3.3. The site itself comprises hard standing that has been informally utilised for open storage. The land levels within the site gently fall from the north-eastern boundary and access into the site towards the south-western boundary and rear of the site. The access to the site features 2.7m high gates and timber fencing that are 9m behind the highway boundary and were approved retrospectively by planning application 16/00869/FUL. Based on historic satellite imagery, it appears that the site has previously been used for off-street vehicular parking associated with the convenience store that was replaced by Tesco Express.

4. Relevant Planning History

4.1 22/00489/FUL

- To install a dropped kerb to access the site
- Withdrawn
- 23.06.2022

The application was withdrawn in light of the Local Highway Authority's recommendation for refusal in accordance with their previous response to withdrawn planning application 21/01296/FUL.

4.2 21/01296/FUL

- Formation of new vehicular access with dropped kerbs
- Withdrawn
- 24.03.2022

4.3 16/00869/FUL

- Erection of a 2.7 metre close boarded fence (retrospective)

- Permitted
- 09.12.2016

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site.
- 5.2 Originally, a Borough Councillor called the proposal in to be determined by the planning committee due to highway safety concerns, but has since withdrawn their call in following discussions with the Planning Department in light of the response of the County Council as the Local Highway Authority to the planning application.
- 5.3 No further responses have been received.

6. Consultation

- 6.1 There have no objections to the application from the following consultants:
- Hinckley & Bosworth Borough Council (HBBC)'s Drainage Officer
 - HBBC's Environmental Services' Pollution Officer (subject to conditions)
 - Leicestershire County Council (LCC)'s Ecology Unit (subject to conditions)
 - Local Highway Authority (LHA) (subject to conditions)
 - National Rail

Ecology

- 6.2 The proposed development site falls within a 'Swift Action Area' which requires targeted efforts to provide biodiversity enhancement for this vulnerable species as part of new development. The County Council's Ecology Department have therefore requested that the development should include a minimum of three integrated swift boxes or bricks to be installed to each northern or eastern elevation (as most appropriate) as part of the development.

Highways

- 6.3 The Local Highway Authority (LHA) stated that the proposed site access should consist of a continuous kerb line and footway with a dropped crossing in accordance with Table 13 of the Leicestershire Highway Design Guide (LHDG). The Applicant submitted revised plans on 17 February 2025. On 03 March 2025, the LHA confirmed that the proposed access was in accordance with Table 13 and Figure 14 of the LHDG. The LHA welcomed this amendment and stated that the proposed access arrangement would be safe and suitable in the context of Paragraph 115 of the NPPF, subject to five planning conditions.

Pollution

- 6.4 Due to the past use of the site, the Council's Pollution Officer has requested a scheme for the investigation of land contamination via planning condition.

Waste

- 6.5 The Council's Waste Management Officer confirmed that any forthcoming development would need to include an area next to the public highway for the safe placement of various waste and recycling containers on collection day for up to bins per property.
- 6.6 No further responses have been received.

7. Policy

- 7.1 Core Strategy (2009):

- Policy 1: Development in Hinckley
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design

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

- Policy DM1: Presumption in Favour of Sustainable Development
- 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 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

- 7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

- 8.1. The key issues in respect of this application are therefore:

- Principle of development
- Housing land supply

- Impact upon the character of the area
- Design and layout
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Planning balance

Principle of Development

- 8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.
- 8.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are detailed within Paragraph 8 of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development.
- 8.4 However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.
- 8.5 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF.
- 8.6 Paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Nevertheless, in accordance with Paragraph 232 of the NPPF, due weight should be given to existing policies according to their degree of consistency with the NPPF.
- 8.7 Paragraph 125(c) of the NPPF confirms that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.
- 8.8 The development is within the identified settlement boundary of Hinckley and therefore the provision of residential uses in this location is considered to be acceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of the report.

Housing Land Supply

- 8.9 Chapter 5 of the NPPF requires planning policies and decisions to deliver a sufficient supply of homes to support the Government's objective of significantly boosting the supply of homes without unnecessary delay. The overall aim should be to meet an area's identified housing need, including an appropriate mix of housing types for the local community.
- 8.10 Paragraph 73 of the NPPF states that small and medium sized sites, such as windfall sites, can make an important contribution to meeting the housing requirements of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built out relatively quickly.
- 8.11 Paragraph 11(d) of the NPPF states that planning decisions should apply a presumption in favour of sustainable development where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date. Footnote 8 of Paragraph 11 of the NPPF highlights that housing policies are considered to be out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.
- 8.12 The Planning Policy team are currently reviewing the latest revisions to the NPPF within the 2024 version of the document and its implications for the Council's Five-Year Housing Land Supply. A revised position will be published by May 2025 once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings (649dpa + 5% buffer as per Paragraphs 62 and 78(a) of the NPPF), that the Council will be unable to demonstrate a Five-Year Housing Land Supply once the revised position is published.
- 8.13 In light of this, and due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered in accordance with Footnote 8 and Paragraph 11 of the NPPF. For decision-taking, Paragraph 11(d) of the NPPF requires planning permission to be granted unless:
- i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 8.14 The development is for one residential property, and therefore Policy 15 (Affordable Housing) and Policy 16 (Housing Density, Mix and Design) of the adopted Core Strategy are not applicable for this scheme.

- 8.15 Whilst the Council is unable to deliver a five-year supply of land for housing, the benefits associated with the providing one residential property within this application site is considered to attract limited weight in the planning balance.

Design and Impact upon the Character of the Area

- 8.16 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.17 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.
- 8.18 The Good Design Guide provides guidance upon how to design an appropriate new residential development. This includes appraising the context, creating appropriate urban structures through blocks, streets, enclosure, open space and landscaping, parking, amenity space and design detailing.
- 8.19 This is an outline application with all matters reserved except for access and scale. Therefore, the detailed layout and appearance considerations are not being assessed at this stage, however, they will form details at the Reserved Matters stage. Based on the description of the planning application, the outline planning permission effectively seeks permission for a single residential property within this site.
- 8.20 The application site is experienced in the context of the mixture of uses in the surrounding area and the built form of Hinckley and Burbage along London Road, which includes a considerable number of residential properties. Dwellings border the site to the south and west and are visually prominent to the north of the site along London Road. Therefore, the use of this site for residential development is not considered to result in any significant adverse impacts to the character of the surrounding area.
- 8.21 Whilst no details have been submitted in relation to the appearance or landscaping of the development, it is considered that the scheme can be brought forward in a way that draws inspiration from the character and layout of the surrounding area and complements the local character.
- 8.22 Therefore, at this stage, the principle of one residential unit within this site is considered to comply with Policy DM10 of the SADMP, subject to the detailed design of the development.

Impact upon Residential Amenity

- 8.23 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.24 Paragraph 14.2 of the SADMP states that new development should be located and designed in such a way that the amenity of both existing residents and occupiers is fully considered when assessing planning applications.
- 8.25 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.26 The Good Design Guide SPD outlines that development will need to demonstrate that it will not result in loss of amenity to neighbouring properties by way of overlooking, overshadowing or noise.
- 8.27 Ultimately, as the details of the appearance, massing, or layout of the development have not been confirmed at this stage, it is considered that a suitable proposal can be submitted at Reserved Matters. In addition, the Council retains sufficient scrutiny and control at Reserved Matters to ensure that the development has an appropriate relationship with neighbouring residents and does not result in any significant adverse impacts to their residential amenity.
- 8.28 Given the above, it is considered that a scheme for residential development, subject to the detailed matters to come forward at Reserved Matters stage, could be designed such to have a suitable relationship with the nearby residential units and the Council retains sufficient scrutiny and control at Reserved Matters to ensure that the development has an appropriate relationship with neighbouring residents and does not result in any significant adverse impacts to their residential amenity.

Impact upon Parking Provision and Highway Safety

- 8.29 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.30 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.

- 8.31 To support this, Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.32 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).
- 8.33 London Road (B4669) is on Leicestershire's Resilient Network. Data from an Automatic Traffic Counter (ATC) survey has been submitted, which demonstrates recorded 85th percentile speeds of 29.6mph southeast bound and 25.8mph northwest bound. The LHA confirms that a permit was issued for this survey. The data from the ATC also indicates that the seven-day average vehicle count along this section of road is 20,903 vehicles in both directions. The peak hour breakdowns are as follows:
- AM (08:00 to 09:00) Northwest bound (789) and southeast bound (726)
 - PM (17:00 to 18:00) Northwest bound (823) and southeast bound (703)
- 8.34 Given the above and the description of the proposed development, the Local Highway Authority (LHA) does not consider the principle of the proposed access to result in an unacceptable road safety or any operational concerns.
- 8.35 Seven Personal Injury Collisions (PICs) have been recorded within 500m of either side of the site access along London Road (B4669) in the last five years. Of these, two were classified as 'serious' in severity, whilst five were classified as 'slight' in severity. The LHA notes that one of the PICs (classified as 'slight') occurred at the location of the proposed site access. Having reviewed the circumstances of this incident, the LHA is satisfied that this is an isolated incident with no connection to the site access.
- 8.36 For all other incidents, the circumstances of the PICs within the vicinity of the site, were not considered by the LHA to demonstrate any spatial trends or patterns and therefore the HA are satisfied that there is no highway safety issues in the vicinity of the site.
- 8.37 The proposed site access consists of a continuous kerb line and footway in accordance with Table 13 and Figure 14 of the LHDG. The proposed site access has a width of 5m for at least the first 5m behind the highway boundary, which is in accordance with Table 13 of the LHDG for a residential development serving up to 25 dwellings. Whilst it is not demonstrated on a scaled plan, the LHA are content that 2m by 2m pedestrian visibility splays can be provided on both sides of the access in accordance with Table 13 of the LHDG.
- 8.38 Vehicular visibility splays of 2.4m by 43m have been demonstrated to the northwest of the access, and 2.4m by 37m to the southeast of the access. These visibility

splays have been drawn in accordance with the data from the ATC survey and therefore exceeds the requirements of Table 7 of the LHDG, which requires 42m and 35m in each direction of the site access respectively based on the submitted 85th percentile speeds in the area. Therefore, the LHA consider the visibility splays to be satisfactory.

- 8.39 The internal layout of the site is not to be considered at this stage. However, the LHA have noted that they would require turning facilities in accordance with the HDG to ensure all vehicles can leave the site in a forward gear.
- 8.40 Subject to further information being provided by the Applicant at the detailed design of the development in relation to the internal layout of the development, it is considered that the proposal does not create an unacceptable impact on highway safety or the road network.
- 8.41 Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP and the adopted highway authority design guide.

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 to be granted, subject to the imposition of appropriate conditions and obligations.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report

11.2 Conditions and Reasons

1. An application for approval of reserved matters shall be made within two years of the date of this permission and the development shall be begun not later than 18 months from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence until details of the layout, scale, appearance, landscaping, and access other than vehicular access (hereafter called the reserved matters) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved reserved matters.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. Notwithstanding the indicative details shown on the submitted plans the development hereby permitted shall only be carried out within the red line shown on the submitted location plan (2024-12-115) submitted on 23 December 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site allocations and Development Management Policies Development Plan Document (2016).

4. Prior to the commencement of development, a scheme for the investigation of any potential land contamination on the site has been submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any

remediation works so approved shall be carried out prior to the site first being occupied.

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 contamination not previously identified is found to be present at the site no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

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 take place until a Biodiversity Enhancement Scheme has been submitted to, and approved in writing by, the Local Planning Authority. Enhancements should include, but is not limited to, three swift boxes/ bricks on each northern or eastern elevation (as most appropriate). Details of these enhancement measures should include the appropriate locations, makes, and models of boxes/ bricks, and any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.

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).

7. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and 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 reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

8. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2024).

9. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on James Fleming Architectural drawing number 2024-12 113 revision C have been implemented in full.

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 (2024).

10. No part of the development hereby permitted shall be occupied until such time as 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2024).

11. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. 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 6 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2024).

12. Any forthcoming Reserved Matters application shall include details for the adequate provision for waste and recycling storage of containers and collection across the site. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.

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.

13. Any forthcoming Reserved Matters application shall include details for secure cycle parking in accordance with the guidance with the Good Design Guide (2020), Leicestershire Highway Design Guide (2020), and the Building for a Healthy Life (2020).

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Chapter 9 of the National Planning Policy Framework (2024).

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.
2. Although only the access and principle of one residential unit within this site is sought for approval at this stage, it is noted that the indicative property to accommodate two one-bedroom apartments with a vehicular undercroft does not reflect the character of the surrounding area and is therefore unlikely to be acceptable within any forthcoming detailed design of the development.
3. The Applicant must engage with National Rail's Asset Protection Team prior to any work taking place on site at AssetProtectionEastern@networkrail.co.uk and enter into any necessary Basic Asset Protection Agreement (BAPA) to ensure the safety of the operational railway during these activities. The Applicant will be fully liable to any damage, injury, or delay to the rail network that is caused by construction works or the future maintenance of the application site.
4. The Applicant's attention is drawn to the information provided within National Rail's response to the planning application on 10 February 2025.
5. In relation to Conditions 03 and 04, advice from Environmental Health should be sought via esadmin@hinckley-bosworth.gov.uk to ensure that any investigation of land contamination is in accordance with their policy.
6. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway, the

Applicant must ensure all necessary licences/ permits/ agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

7. Surface water should be managed by sustainable methods, preferably those that disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc., and the minimisation of paved areas, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone, or in combination with infiltration systems and/or rainwater harvesting systems.
8. Any access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
9. Hinckley & Bosworth Borough Council's recycling and refuse collection services are from the boundary to the adopted highway and do not travel along, nor collect from private roads or driveways. Please refer to the policies within the Wheeled Bin and Container Policy (updated March 2018).

It would be advisable to include an area near the roadside for the safe placement of the various containers on collection day. This will then keep the access clear to allow vehicular access. It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.