

Delegated Report

Planning Ref: 25/00355/FUL

Applicant: Mr Graham Linney

Ward: Burbage St Catherines & Lash Hill

Site: 11 Sapcote Road Burbage Hinckley

Proposal: Demolition of existing bungalow and construction of 3 new dwellings

1. Recommendations

1.1. Grant planning permission subject to

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The planning application proposes the demolition of the existing bungalow, at 11 Sapcote Road; and its replacement with 2 no x one and a half storey, detached 3 bedroom dwelling houses fronting Sapcote Road – plots 1 and 2 - with the addition of 1 no x one and a half storey, 3 bedroom detached dwelling house located to the rear of the plot (plot 3). The dwelling towards the rear of the plot would form a group with the two new dwellings located on the former 13 Sapcote Road plot.
- 2.2. The scheme has been amended during the decision making period to reduce the scale of the rear dwelling and to remove the detached garage that was originally proposed to serve plot 3. The proposed dwellings at the front of the site, on plots 1 & 2, have also been altered to accommodate more spacing between the two dwellings and they have been re-positioned in a stepped arrangement, further into the site, than originally proposed.

3. Description of the site and surrounding area

- 3.1. The application site comprises approximately 0.2 hectares of land that is currently occupied by a detached bungalow and its residential curtilage. The site has been cleared of vegetation with the exception of a Silver Birch located on the southern boundary alongside a neighbouring lime tree. There are two further trees found on the western boundary within the adjacent plot of 9 Sapcote Road. There are also two fruit trees on the northern boundary.
- 3.2. The application site is located on the north side of Sapcote Road and is surrounded on all sides by residential development which includes the historic ribbon form of development amongst which there are examples of infill and backland schemes. These schemes include the recently constructed properties on the site of the former 13 Sapcote Road.
- 3.3. The site's surroundings are suburban residential in character and has a predominantly post war vernacular although there are examples of more modern properties within the aforementioned infill/backland development sites found along the road and on sites where properties have been modernised.

4. Relevant planning history

None

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. 2 letters of objection have been received in response to the consultation exercise. The concerns can be summarised as follows:

- Concern regarding topography depth of dig and impact on trees
- Concern regarding need for ground investigation to be carried out and therefore the need to pile during construction, and the impacts this has on the neighbouring properties
- Concern regarding phasing and storage of materials
- Concern regarding contractors parking on the pavement
- Concern regarding rear windows in plot 3
- Concern regarding height of buildings and inclusion of double garage
- Plan does not show footpath U15/1

6. Consultation

6.1. The following section provides a summary of the consultation responses that have been received in connection with this planning application. Where appropriate the consultation responses are expanded upon in the body of this report.

- LCC Highways – no objection subject to condition(s)
- Tree Officer – no objection but notes site clearance contrary to best practise
- HBBC Drainage – no objection subject to condition(s)
- Ecology – holding objection (see ecology section below)
- Archaeology – no objection – no further evaluation required
- Burbage Parsih Council – No objection but concerned that *“the driveway serving the two front units is sufficiently wide to allow for vehicles to simultaneously exit and enter the development, to avoid any stationary vehicle causing traffic to back up on Sapcote Road. It is noted that an existing wall along the proposed access drive to the proposed rear unit currently restricts this width.”*

7. Policy

Burbage Neighbourhood Plan 2015-2026

Core Strategy (2009)

- Policy 4: Development in Burbage

Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- 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

National Planning Policies and Guidance

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

Other relevant guidance

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

8. Appraisal

8.1. 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
- Drainage
- Ecology
- Archaeology

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) (2019) reaffirms that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in determining applications. 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.
- 8.3. The development plan in this instance comprises the adopted Core Strategy (2009), the adopted Site Allocations & Development Management Policies (SADMP) DPD (2016) and Leicestershire Minerals and Waste Local Plan (2019).
- 8.4. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the SADMP set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise.
- 8.5. The Emerging Local Plan is due to cover the plan period 2024-2045. The public consultation on the Regulation 18 Draft Local Plan ran from 17 October to 38 November 2025. The latest Local Development Scheme (LDS), was published on 06 March 2025 and can be found on the Council's website. The update revises the timetable for production of the Local Plan and establishes key milestones for public consultations, including a further Regulation 19 consultation scheduled for around March/April 2026.

Given the early stage of the Emerging Local Plan and outstanding evidence still to be undertaken, the emerging policies are therefore attributed very limited weight.

Housing Land Supply Position

- 8.6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.7. The Planning Policy team are currently reviewing the revised NPPF (2024) and implications for the Council's Five Year Housing Land Supply. A revised position will be published in 2025 once the monitoring for the 2024/25 year has been completed. It is however very likely that, with the revised housing need figure of 682 dwellings per annum from the Dec 2024 NPPF (649dpa + 5% buffer as per Para 78a), that the Council will be unable to demonstrate a Five Year Housing Land Supply once the revised position is published.
- 8.8. As part of the planning appeal APP/K2420/W/24/3357570 at the Oddfellows Arms, 25 Main Street, Higham on the Hill, the Council have provided an indicative housing land supply figure via an Interim Five-Year Housing Land Supply Statement (2024 and 2025). When applying the standard method figure and the 5% buffer to the Council's requirement of land for housing, the Policy Team confirmed that, as of 29 July 2025, the Local Planning Authority could demonstrate a 3.89-year supply of land for housing. Paragraph 3.5 of this Statement confirms that these figures are indicative, and the supply figures are expected to decrease slightly as the monitoring exercise is further progressed.
- 8.9. For decision taking, a 5yr housing land supply is a material consideration in all relevant applications for dwellings in the Borough. Due to the age of relevant housing policies in the Core Strategy, in accordance with paragraph 11d) of the NPPF, the Council should grant permission for housing unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. This is weighed in the balance of the merits of the application when considered with the policies in the SADMP and the Core Strategy which are attributed significant weight as they are consistent with the Framework. Therefore, sustainable development should be approved unless other material considerations indicate otherwise.
- 8.10. Under these circumstances, the NPPF sets out, in paragraph 11d) that, for decision makers: "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear 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"
- 8.11. Paragraph 61 of the NPPF sets out that "it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".
- 8.12. Paragraph 79 of the NPPF sets out that: "To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the previous three years, the following

policy consequences should apply: - where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years; - where delivery falls below 85% of the requirement over the previous three years, the authority should include a buffer of 20% to their identified supply of specific deliverable sites as set out in paragraph 78 of this framework, in addition to the requirement for an action plan. - where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer."

- 8.13. Therefore, currently the 'tilted' balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Spatial Strategy

- 8.14. The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough. The site lies within the settlement of Burbage and so the development proposals are acceptable subject to the consideration of the other development management issues that are outlined below.

Design and impact upon the character of the area

- 8.15. Paragraph 135 of the NPPF sets guidance against which planning decisions should be assessed with the objective of achieving well designed places. It provides (*inter alia*) that decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, where crime and disorder, and the fear of crime, do not undermine the quality of life.
- 8.16. Paragraph 139 of the NPPF advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- 8.17. 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 area generally.
- 8.18. Plot 1 and 2 will follow the nominal, staggered building line, created by 9 and 13 Sapcote Road. The proposed dwellings will be set well back from the highway and there will be an intervening area of soft landscaping. Whilst the dwellings will be of modern appearance that is at odds with the prevailing inter-war vernacular; there are modern architectural examples found in the site's surroundings. Given the mix of styles and forms found in the streetscene overall; and considering that the proposed group of

dwellings, together with the new dwellings located to the rear of 13 Sapcote Road, will form a small character area in their own right; the proposed dwellings overall will appear attractive and modern and will not jar against the prevailing and mixed character.

- 8.19. Plot 3 will appear discreet within the streetcene, due to its backland location, but none the less will contribute to this group of properties that will form the backland site overall. The development will appear as a small, modern cul-de-sac.
- 8.20. With a condition to secure a scheme of landscaping and to ensure the materials are as stated on the drawings; the development proposals – on balance – are considered to accord with SADMP policy DM10 and the advice contained in the NPPF that is relevant to design.

Impact on residential amenity

- 8.21. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties. The NPPF, at paragraph 135, also seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.
- 8.22. Amendments to the scheme have ensured that the 45 degree angle rule is not breached and by moving plots 1 and 2 further to the north west, together with the omission of the detached garage from the scheme, overbearing impacts or an unacceptable increase in sense of enclosure being experienced by the occupiers of number 9 Sapcote Road – the nearest neighbour to the south west – are avoided.
- 8.23. Whilst there are windows in the south western elevation of 13 Sapcote Road, which overlook the site, only high-level velux windows are proposed in the east facing roofscape of plots 1 and 2 which serve non habitable bathrooms/ensuites/dressing rooms. With a condition to ensure that these are obscure glazed, there will be no inter-overlooking that would result in unacceptable impacts on privacy either to the existing neighbouring occupiers or future occupiers of the development site.
- 8.24. There will be overlooking of the garden of plot 2, and to a lesser extent plot 1, from 11b Sapcote Road whereby above ground floor level windows will be located 7 metres from the boundary of plot 1. Whilst clearly a sub-optimum arrangement; some mitigation will be provided by boundary treatment and the intervening driveway. As an arrangement, whereby future occupiers of plot 2 can decide if the garden offers sufficient privacy to meet their needs, this on balance is considered to be acceptable and, on its own, would not warrant the refusal of planning permission on this occasion
- 8.25. Both plots 1 and 2 have 10 metre private gardens which is considered to offer sufficient useable private amenity space and exceeds the requirements of the Good Design Guide which advocates for a minimum garden depth of 7 metres and area of 80 sq m to serve a three bedroom house.
- 8.26. Whilst it is noted that there is an outbuilding located on the common boundary with plot 3, located to the rear of 9 Sapcote Road; this single storey structure would not lead to any overbearing impact or unacceptable level of enclosure when considering the amenities of the future occupiers of plot 3.
- 8.27. The level of separation between plot 2 and plot 3 is acceptable. There is just shy of 19 metres separation between the rear elevation of plot 1 and the front elevation of plot 3. Given the intervening garden, boundary treatment and parking area; this separation is considered to be acceptable in its context.
- 8.28. The proposed garden of plot 3 is between 6 and 7 metres in depth. On balance this is acceptable given that over 124 sq m of rear garden is available, along with a generous

front garden. The rear boundary backs onto the garden of 63 Burbage Road so that plot 3 will not feel overly cramped in its plot.

- 8.29. There are no side windows in the opposing flank elevation of 11a Sapcote Road and there is in excess of four metres flank-to-flank separation between the existing and proposed dwelling houses. The window serving the bedroom 3 of plot 3, which is the only above ground floor level window serving a habitable room in this more sensitive elevation, will look onto the blank elevation 11a Sapcote Road such that there will be no loss of privacy or overlooking.
- 8.30. No above ground floor level windows are proposed in the south west elevation of plot 3 and so no overlooking will occur when considering the impacts on the garden of 9 Sapcote Road. Only high level Velux rooflights are proposed in the roof of plot 3 which should mitigate potential overlooking of the garden of 65 Burbage Road which is located to the rear of plot 3. 65 Burbage Road's garden is over 61 metres in length and so will be minimally impacted by the development proposals.
- 8.31. In summary the proposed development provides a high standard of accommodation whereby occupiers will enjoy appropriate levels of privacy, daylight/sunlight and no unacceptable overbearing impacts. They will also have access to useable private amenity space. The layout of the scheme is such that no harmful loss of privacy, increased sense of enclosure or loss of daylight/sunlight will occur when considering the amenities of neighbouring occupiers. Overall the proposals are considered to provide an appropriate standard of amenity to future occupiers of the site and existing neighbouring occupiers, in accordance with SADMP policy DM10 and the advice contained in the NPPF.

Highways Matters

- 8.32. Policy DM17 of the adopted SADMP identifies a number of criteria which development should meet and requires proposals to demonstrate that there would not be a significant adverse impact on highway safety and that proposals reflect the latest highway authority design standards. The current highway design standards are the 6C's Design Guide. Policy DM18 requires new development to provide an appropriate level of parking provision taking into account the sites location, type of housing and other modes of transport available.
- 8.33. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Policy 116 of the NPPF 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.
- 8.34. Whilst it is noted that the Parish has raised concern regarding the proposed access, the Highways Authority do not share their concerns in the light of amendments to the scheme.
- 8.35. The Highways Authority have indicated that they are satisfied that the proposed access provides adequate visibility and will pose no threat to highway safety and when, considered cumulatively with other developments, the impacts on the road network would not be severe. They are also satisfied with the quantum and form of car parking as proposed. Based on the information provided, and with the use of appropriate conditions, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework.

Pollution and Drainage

- 8.36. Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding. Paragraph 170 of the NPPF requires inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Paragraph 181 continues by explaining that, when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 8.37. The Council's drainage team are satisfied that with a condition to secure a scheme of surface water drainage underpinned by sustainable drainage principles, the scheme will drain satisfactorily and will note pose a risk of flooding on site or elsewhere in the locality.

Ecology

- 8.38. Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. Paragraph 174 bullet "d" of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by (inter alia) minimising impacts upon and providing net gains for biodiversity.
- 8.39. The Council's Ecologist has been consulted in respect of this planning application. They have indicated that they are satisfied with the submitted Biodiversity Net Gain (BNG) matrix. With the use of a BNG Plan which will need to be fully discharged via the mandatory BNG condition, the development will secure the mandatory BNG.
- 8.40. To consider protected species, the Council's ecologist is supportive of the mitigation measures included within Section 5 of the PEA report for bats, nesting birds and Hedgehog. They do however note that trees suitability for roosting bats are proposed for removal and recommend mitigation including the using soft felling techniques to minimise the impact to roosting bats which may be using these trees.
- 8.41. In addition, whilst it is acknowledged that the onsite and surrounding habitats provide suitability for a range of other mobile species including Badger, reptiles and amphibians, they are then discounted from requiring mitigation due to structural barriers. Upon review of aerial imagery and local records held by Leicestershire and Rutland Environmental Records Centre (accessed under licence), the Council's ecologist does not consider any significant structural barriers to be present. They accordingly recommend that precautionary measures are included for the following species in addition to those detailed within the PEA: Badger, reptiles and amphibians (including GCN) to minimise the risk of harm to these species as a result of the development. It is recommended that a precautionary method statement for the above should be secured as a condition of any consent and is not a reason for holding objection at this stage.
- 8.42. The Ecological Appraisal has recorded the building as moderate suitability for bats and recommended two emergence surveys. The subsequent surveys showed no evidence of roosting bats.
- 8.43. Whilst raising no objection to the development, the Council's tree officer has noted that the site has predominantly been cleared of trees in conflict with best practise. A scheme of landscaping will be secured that in part will provide mitigation for the felled trees.
- 8.44. With the use of the recommended conditions, the development accords with SADMP policy DM6, the advice contained in the NPPF and the relevant wildlife legislation.

Archaeology

- 8.45. Policy DM13 states that where a proposal has the potential to impact a site of archaeological interest, developers will be required to provide appropriate deskbased assessment and, where applicable, field evaluation detailing the significance of any affected asset. Where preservation of archaeological remains in situ is not feasible and /or justified the local planning authority will require full archaeological investigation and recording by an approved archaeological organisation before development commences.
- 8.46. Paragraph 194 of the NPPF provides that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 8.47. A programme of archaeological trenching evaluation was undertaken on the site in July 2025 due to the site being located within an area of known archaeological potential. This comprised three trenches excavated across the site in advance of proposed residential development. The exercise proved negative for archaeological remains. The evaluation confirmed that the site had been entirely truncated and subsequently infilled with modern waste material. Natural substrata was only visible at the southern extent of the site in close proximity to the existing bungalow. The archaeological findings have been provided to LCC Archaeology who are satisfied with the scheme of investigation and recording and recommend that no further archaeological involvement will be required.

Other Matters

- 8.48. A condition will ensure that full details of the proposed bin stores are provided to ensure appropriate facilities are provided to accommodate the separate storage and collection of general and recyclable waste in line with the Council's waste collection regime.
- 8.49. It is acknowledged that a number of areas of concern have been raised by neighbours. Boundary trees will be protected by condition and a landscaping plan will ensure the longevity of any retained tree and hedges. The development is not of a scale would ordinarily warrant a Construction Traffic Management Plan or phasing plan. If vehicles cause an obstruction on the public highway, that is an offence under the Highways Act and no controlled by planning. Matters of privacy have been addressed elsewhere in this report and the scale of the buildings have been amended during the course of the planning application. Footpath U15/1 does not bound the site and so the development would have no impact on this path. Walkers on the path pass by residential gardens and dwelling houses and so the proposals would have minimal impact on user's enjoyment of this path. The use of piling during construction would be controlled by building regulations approval.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3 There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. This report has shown that the development proposals to be acceptable in principle when considering. The report has shown, with the use of appropriately worded conditions, compliance with a number of development management policies in respect of matters relating to the design of the proposals, the scheme's impact on neighbouring occupiers, highways matters, pollution, trees and ecology and flooding and drainage. These matters are not benefits as such and should be held in neutral weight in the overall planning balance.
- 10.2. Economic benefits will arise during the construction phase of the development when considering employment and skills offering in construction albeit temporary and short-term. The economic benefits of the scheme are held in limited positive weight.
- 10.3. There are also clear social benefits when considering the provision of 3 new homes. Whilst the provision of new homes would normally be held in significant positive weight, particularly in the light of the Council's current housing land supply position, the benefit is tempered due to the relatively small scale of the scheme. The social benefits of the scheme are therefore held in limited positive weight.
- 10.4. The limited economic benefits and social benefits arising from the scheme are not significantly and demonstrably outweighed by any harm arising from the scheme. The development proposals are considered to constitute sustainable development and it is recommended that planning permission be granted

11. Recommendation

11.1 Grant planning permission subject to the following Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following details received by the LPA on the 2nd April 2025 and 29th September 2025:
 - 9169-01-91 Location Plan
 - 9169-03-01 Proposed Site Plan Rev H
 - 9169-03-02 Plot 1 and 2 Proposed Plans & Elevs Rev D
 - 9169-03-03 Plot 3 Proposed Plans & Elevs Rev E
 - 9169-03-05 Proposed Materials

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).

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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.

3. No development shall take place until an Arboricultural Method Statement for the site as a whole, including details of the position, species, size and condition of each existing tree and hedge on and adjacent to the site, and identifying those trees and hedgerows to be retained, has first been submitted to and approved in writing by the local planning authority. This shall include full details of measures for the protection of trees and hedgerows to be retained during the course of development. Thereafter the development shall be carried out at all times in accordance with the approved Arboricultural Method Statement.

Reason: To ensure that the trees on site are to be retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 170 of the National Planning Policy Framework (2021).

4. No development shall take place until a scheme for the hard and soft landscaping for the site, including the retention of any existing trees and shrubs, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include detail of all planting areas and plant species, numbers and sizes; all proposed boundary treatments and means of enclosure; surfacing materials; and any change in levels. The scheme shall be fully implemented as approved by the end of the planting season immediately following the completion of the development or the development being brought into use, whichever is the sooner. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species shall be planted as a replacement and thereafter properly maintained.

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

5. No development approved by this planning permission shall take place until such time as a surface water drainage scheme and a scheme for foul drainage has been submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with SADMP Policy DM7 and the advice contained in the National Planning Policy Framework (2024).

6. Prior to the first occupation of the development hereby approved a scheme that makes provision for waste and recycling storage and collection across the site shall first be submitted to and approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details prior to the first use of the development.

Reason: To ensure the bin storage on site is fit for purpose 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 Development Plan Document (2016).

7. The development hereby approved shall only be carried out in accordance with the mitigation measures and/or works contained in the Preliminary Ecological Appraisal (Three Shires Ltd., July 2025) and the Preliminary Roost Assessment & Bat

Emergence Survey Report (Croft Ecology, October 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

8. No works above slab level on the buildings hereby approved shall take place until "A Biodiversity Enhancement Layout" including those biodiversity enhancements listed in the Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025) has first been submitted to and approved in writing by the local planning authority. The Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."

Reason: To enhance protected, Priority and threatened species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and to allow the Local Planning Authority to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended)

9. No part of the development hereby permitted shall be occupied until such time as the access arrangements and parking and turning facilities for all plots as shown on Proposed Site Plan, drawing number 9169-03-01 Rev H 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, and that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of general highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

10. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays as shown on Proposed Visibility Splays, drawing number 9169-03-06 Rev A have been provided. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

11. The development hereby permitted shall not be occupied until such time as 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 five metres behind the highway boundary and, once provided, shall be so maintained 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 Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

12. Site preparation and construction shall be limited to the following days and times;

- Monday – Friday 07:30 – 18:00
- Saturday 08:00 – 13:00
- No working on Sundays and Public and Bank Holidays

Reason: To protect the neighbouring occupiers from disturbance during the construction phase in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development in accordance with SADMP Policy DM7 and the advice contained in 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.

2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you 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.

3. If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at

<https://resources.leicestershire.gov.uk/lhdg> If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email road.adoptions@leics.gov.uk in the first instance.

4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

5. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk>