

Delegated Report

Planning Ref: 23/00733/FUL

Applicant: Mr P Collis

Ward: Burbage



Hinckley & Bosworth
Borough Council

Site: 2 Paddock Lane, Burbage, Hinckley, Leicestershire

Proposal: Construction of two detached bungalows with associated parking, garage, amenity space, EV charging point and other works

Recommendations

1.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

Planning application description

- 2.1. This planning application seeks full planning permission for the erection of two detached dormer bungalows with associated car parking, turning space, private amenity space and landscaping on land adjacent to No 2 Paddock Lane, Burbage LE10 2JD.
- 2.2. The proposed detached dormer bungalows would outwardly face Paddock Lane with side facing elevations of plot 2 presented to Coventry Road. New soft landscaping and vehicle turning space is provided to the property frontages. Two car parking spaces, single garage space (including secure cycle storage) and electric vehicle charging points are provided for each property and are positioned between the new dwellings. Private garden space is provided to the rear of each dwelling.
- 2.3. The new properties each provide a total of three bedrooms (one bedroom on the ground floor and two within the roof space). Ground floor living accommodation includes a modern open plan living, kitchen and dining space, utility, WC and study. The properties are designed as a complimentary pair with feature gables to the front and rear. There are traditional dormer windows proposed to the front elevation and sky lights to the rear. Plot 1 has a feature render finish to the front gable. Clay tiles are proposed for both along with facing brick. 2 parking spaces are proposed for each dwelling along with 1 bay for each dwelling in the proposed 2 bay garage at the rear.
- 2.4. The site is accessed from Paddock Lane, an existing private drive positioned between No. 39 and No. 41 Coventry Road

Description of the site and surrounding area

- 3.1. The application site is currently vacant and appears to have once been part of the rear garden area of 39 Coventry Road. Access to the site is via a narrow track between no. 39 and no. 41 Coventry Road. This runs for a length of approximately 55 metres to provide access to three bungalows at the rear of the properties on Coventry Road. The existing dwellings consists of no. 2 Paddock Lane, a detached bungalow with a detached garage and 4 and 6 Paddock Lane which comprise of a pair of semi-detached bungalows with garages in a separate block in front of no. 6.

- 3.2. The access track runs in a south-easterly direction to a pedestrian footpath that links the track to the sports ground beyond. It runs in a south-westerly direction to provide access to the existing 3 bungalows.
- 3.3. The site is located within the settlement boundary of Burbage where there is a presumption in favour of development subject to all other planning matters being properly addressed. The site is the former rear garden of one of the properties on Coventry Road and as such is back-land development.
- 3.4. The site is not within a designated Conservation Area nor does it relate to a listed building. The site is located within a Flood Zone 1 on the Environment Agency's flood maps for planning.

4 Relevant planning history **12/00952/FUL**

- Erection of one new dwelling
- Permitted
- 28.12.2012

5 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.
- 5.2 No letters of representation have been received.

6 Consultation

- 6.1 There have been no objections from the following consultants:
- HBBC Waste- No objections subject to a condition
 - LCC Archaeology- No objections subject to a condition
 - HBBC Drainage- No objections
 - HBBC Pollution- No objections
- 6.2 LCC Highways- No objections subject to conditions
- 6.3 Burbage Parish Council has no objections to the proposal

7 Policy

- 7.1 Core Strategy (2009)
- Policy 4: Development in Burbage
 - Policy 16: Housing Density, Mix and Design
- 7.2 Site Allocations and Development Management Policies (SADMP) DPD (2016)
- 8 Policy DM1: Presumption in Favour of Sustainable Development
 - 9 Policy DM3: Infrastructure and Delivery
 - 10 Policy DM6: Enhancement of Biodiversity and Geological Interest
 - 11 Policy DM7: Preventing Pollution and Flooding
 - 12 Policy DM10: Development and Design
 - 13 Policy DM17: Highways and Transportation
 - 14 Policy DM18: Vehicle Parking Standards
- 7.3 Burbage Neighbourhood Plan
- Policy 1: Settlement Boundary
 - Policy 2: Design and Layout

- Policy 4: Parking
 - Policy 5: Footpaths & Cycleways
- 7.4 National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.5 Other relevant guidance
- Good Design Guide (2020)
 - Leicestershire Highway Design Guide (LHDG) (2022)
 - National Design Guide (2019)
 - Technical Housing Standards – Nationally Described Space Standards (2015)

Appraisal

- 8.1. The key issues in respect of this application are therefore:
- Principle of development
 - Housing land supply
 - Design and impact upon the character of the area
 - Impact upon residential amenity
 - Impact upon parking provision and highway safety
 - Planning balance

Principle of Development

- 8.2. Paragraph 2 of the NPPF states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that 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. Paragraph 11 of the 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. The development plan in this instance consists of the adopted Core Strategy (2009), the Site Allocations and Development Management Policies DPD (2016), and the Burbage Neighbourhood Plan (2021).
- 8.4. 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.
- 8.5. Core Strategy Policy 4 provides the policy framework for development in Burbage, which seeks the provision of a minimum of 295 new homes. Developers are required to demonstrate that the proposal would meet the local residential need, taking the latest Housing Market Assessment into consideration as well as local housing needs surveys where they exist in line with Policies 15 and 16. As the proposal is for the erection of two dwellings, the provisions of Policies 15 and 16 are exempted.
- 8.6. The Emerging Local Plan for 2020-39 has reached regulation 19 stage and is currently out for consultation (February-March 2022) and thus can be given only limited weight at this stage as the outcome of the consultation remains to be

determined. It is acknowledged though that Burbage's status within the hierarchy as an urban area remains unchanged from that within the Core Strategy.

- 8.7. The Council acknowledges that it cannot currently demonstrate a 5-year housing land supply. The standard method for calculating local housing need as set out in paragraph 2a-004 of the PPG results in a local housing need for the Borough of 444 dwellings per annum as of 1st April 2021. With a 5% buffer added as per the requirements this gives HBBC a need of 466 dwellings per annum for the next 5 years. As set out within the Residential Land Availability Assessment dated 1 April 2022, the Council can demonstrate a 4.89-year supply of housing land.
- 8.8. Notwithstanding the above, the housing policies are out-of-date, therefore, the 'tilted' balance of Paragraph 11(d) of the NPPF is engaged and permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is a material consideration to weigh in the context of the statutory requirement to determine applications and appeals in accordance with the Development Plan unless considerations indicate otherwise.
- 8.9. Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) sets out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan and neighbourhood plan should be approved unless other material considerations indicate otherwise. This accords with Policy 1 of the Burbage Neighbourhood Plan which states that residential development within the settlement boundary would be supported provided the proposal complies with other plan policies.
- 8.10. Given the location of the site within the settlement boundary of Burbage, a sustainable location, the proposal would be in accordance with adopted strategic planning policies and the principle of development is acceptable. This is subject to all other material considerations being satisfactorily addressed.
- 8.11. Furthermore, planning permission was granted for the erection of a dwelling under planning reference 12/00952/FUL. Though the current proposal introduces an additional dwelling the extant planning permission remains a material consideration.

Design and Impact upon the Character of the Area

- 8.12 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.
- 8.13 Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.14 The Good Design Guide SPD 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. The SPD advocates the use of a Building for Life Assessment.

- 8.15 It is acknowledged that to the south & east of the site the pattern of development is devoid of development with mostly open playing fields whilst to the north and west there are residential gardens at depth, accessed off Coventry Road. However, there is a mix of plot sizes, layouts and individually designed properties in the area, and existing forms of back land development set around the un-adopted access from Paddock Lane, which the proposed development would be seen in context. Therefore, the proposal would not severely impact on the character of the area and would assimilate into the existing grain of built development.
- 8.16 The proposal would comprise a traditional design with construction and finishing materials that are commonly used in residential development. A condition should be attached requesting details of the materials to ensure the development has a satisfactory appearance. Given the siting of the properties at the end of long rear gardens which are behind existing dwellings on Coventry Road together with 1.8m high close boarded timber fencing & proposed hedgerow along the side boundaries, the proposal would be significantly screened from public vantage points and the visual impact of the proposal would be minimal. Notwithstanding the presence of these boundary treatments, if this were not present the proposed development would be viewed in context with the dwellings to the north and west which form a residential character backdrop.
- 8.17 Therefore, the proposal would not detract from the character of the area or disrupt the existing development pattern and the design would not have a significant visual impact. As such, the proposal complies with the Good Design Guide, Policy DM10 of the SADMP, and Policy 2 of the Burbage Neighbourhood Plan.

Impact upon Residential Amenity

- 8.18 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site. The Good Design Guide also provides advice.
- 8.19 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.
- 8.9 The Good Design Guide recommends that a principal window to a habitable room should ideally be no less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property. The Good Design Guide also states that, "An exception to this rule is in an urban location where it may be acceptable to have a reduced distance where issues of amenity and overlooking are dealt with by good design."
- 8.10 The side elevation of the dwelling in plot 2 is over 30m from the residential properties on Coventry Road to the north, and therefore the development is not considered to result in any significant harm to the residential amenity of these neighbouring properties.
- 8.11 The proposed dwelling in plot 1 is approx. 14m from the front/side elevation of No 2 Paddock Lane, at its nearest point. No 2 Paddock Lane is at an angle to the

proposed dwellings and 20m from the proposed dwelling in plot 1. Whilst this is less than the 21m separation distance between principal windows of habitable rooms as recommended by the Good Design Guide, this distance is between the front elevations of both properties which are at an angle to each other and separated by the lane, a garage and a landscaped boundary. Given the above, the development is not considered to result in a significant adverse impact on the neighbouring residential amenity.

- 8.12 To comply with the Good Design Guide, three-bedroom houses must also provide a minimum of 70sqm of private outdoor amenity space with a minimum length of 7m.
- 8.13 The development has private outdoor amenity space with a length of 8m from each rear elevation. In total, each dwelling has more than 90sqm of private outdoor amenity space, which does not interfere with the existing hedgerow and exceeds the requirements of the Good Design Guide.
- 8.14 Although it is not considered that the proposal would result in overdevelopment of the site, given the short depth of the gardens coupled with the additional dwelling proposed under the current application it would be appropriate to remove permitted development rights to the new dwellings.
- 8.15 The application site is located in an urban area where a degree of overlooking is acceptable. It is further considered that the proposed development sits comfortably within the surrounding built fabric as the height and design of the proposed properties are consistent with the scale, mass, and form of the neighbouring residential area. The proposed properties would not detract from the character of the area and do not have an overbearing appearance.
- 8.16 The proposal would have a minimal impact on the amenities of surrounding residents and provides acceptable residential amenity for future occupiers. As such, the proposed development is in accordance with Policies DM7 and DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.17 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. Paragraph 111 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.
- 8.18 Policy 4 of the Burbage Neighbourhood Plan outlines that at least two off-street parking spaces shall be provided within the curtilage for each new dwelling developed. The proposal make provision for 6 on-site parking spaces, including the garage spaces which is more than adequate for two dwellings. Within the site there is sufficient turning space to leave the site in a forward direction.
- 8.19 The Local Highway Authority (LHA) have been re-consulted on full application 23/00733/FUL which is for the construction of two detached bungalows with associated parking, garage, amenity space, EV charging point and other works. The LHA previously responded to the Local Planning Authority (LPA) on 29 August 2023 requesting further information which included but is not limited to:

- Detailed scaled access drawing; and
 - 2m by 2m pedestrian visibility splays.
- 8.20 In response to the LHA observations the Applicant has provided:
- Access Design, drawing number CS/0333/AD/23.

The LHA have reviewed the above named plan and make the following comments. 'The Applicant has demonstrated an effective access width of 5.2m for the first 5.8m. The LHA finds this accords with Table DG17 of Part 3 of the Leicestershire Highway Design Guide (LHDG). The Applicant has not demonstrated pedestrian visibility splays of 2m by 2m at the site access as requested. However, whilst the LHA may normally look to resist accesses that fail to provide adequate pedestrian visibility, given the extant permission granted under 12/00952/FUL, and that there are similar accesses in and around the location. The LHA would not seek to resist the proposals as it is considered the LHA would not be able to defend the proposals at an appeal in these site specific circumstances'.

LCC Highways have no objections to the proposal subject to the imposition of a number of conditions.

- 8.21 Given the above, the proposal is considered to provide adequate off-street parking and it does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

Drainage

- 8.22 Policy DM7 of the SADMP 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 and should not create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against. Appropriate containment solutions for potential contaminants and remediation of contaminated land in line with minimum national standards should be undertaken.
- 8.23 The HBBC Drainage Officer has no objections subject to an informative relating to soakaways. A condition is proposed to ensure a positive means of drainage is installed at the access to avoid surface water being discharged directly onto the highway. The proposal accords with Policy DM7 of the SADMP.

Ecology & natural environment

- 8.24 Policy DM6 of the adopted SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation.
- 8.25 The site is currently a residential garden. Apart from boundary hedgerow and trees, there are no features likely to comprise important habitat for protected species. The proposal site plan proposes hedges and a few trees. This will be conditioned if approval is to be granted.
- 8.26 Therefore, the proposal would not have an adverse impact on the natural environment or protected species and complies with Policy DM6 of the SADMP.

Infrastructure contributions

- 8.27 Policy DM3 of the SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities. Policy 19 of the adopted Core Strategy seeks to address existing deficiencies in the quality, quantity and accessibility of green space and children's play provision within settlements.
- 8.28 The request for any planning obligations (infrastructure contributions) must be considered alongside the requirement contained within the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations confirm that where developer contributions are requested, they need to be necessary to make the development acceptable in planning terms, directly related and fairly and reasonably related in scale and kind to the development proposed.
- 8.29 Any requested infrastructure contribution for public play and open space facilities would need to be necessary to make the development acceptable in planning terms and therefore CIL compliant. However, in this case, the proposal is for only two additional dwellings which would not have any significant impact on existing play and open space facilities. The development is considered acceptable in planning terms without any contribution; therefore, the contribution would not be CIL compliant in this case. Notwithstanding Policy DM3 of the SADMP in conjunction with the extant planning permission, no contribution has been pursued.

Planning Balance

- 8.30 The NPPF is a material consideration in determining application. Paragraph 11 of the NPPF identifies that plans and decisions should apply a presumption in favour of sustainable development, and for decision taking this means approving development proposals that accord with an up-to-date development plan. As previously identified the housing policies in the adopted Core Strategy and the adopted SADMP are now considered to be out of date as they focussed on delivery of a lower housing requirement than required by the up-to-date figure. The Council also cannot demonstrate a 5-year housing land supply. Therefore, the 'tilted' balance in paragraph 11(d) of the NPPF applies where the permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 8.31 Paragraph 8 of the NPPF states that sustainable development has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These objectives are Economic, Social and Environmental.
- 8.32 Economic: The scheme would provide some economic benefit through the creation of jobs and demand for services and materials for the construction of the development itself and from the future occupation of the development supporting businesses in the wider area.
- 8.33 Social: The scheme would provide a modest contribution to the overall housing supply within the Borough.
- 8.34 Environmental: The scheme would protect the natural environment and would safeguard the amenity of existing residents.

- 8.35 The proposal is inside the settlement boundary of Burbage as defined in the SADMP, surrounded by residential development. The siting, scale and design of the proposed dwellings complement the character of the site and does not detract from the character of the surrounding area. It would also have no adverse impact upon the residential amenity of any neighbouring dwellings or highway safety.
- 8.36 The application does not conflict with any of the policies set out within the Local Plan (2006-2026), and there are no significant or demonstrable adverse impacts that would outweigh the identified social and economic benefits and the presumption in favour of sustainable development. Therefore, no material considerations indicate that a decision should be made other than in accordance with the Development Plan.

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

The proposed development located within the settlement boundary of Burbage is acceptable in principle. The siting, scale and design of the proposed dwellings complement the character of the surrounding area in accordance with the Policies of the SADMP whilst providing additional housing in a sustainable location which would contribute to the Borough's housing land supply. There are no significant adverse impacts on the street scene, neighbouring residential amenity, highway safety, pollution, heritage assets, or ecology, subject to conditions. As such, the proposal complies with Policy 4 of the Core Strategy, Policies DM1, DM3, DM6, DM7, DM10, DM17 and DM18 of the SADMP, Policies 1, 2, 4 and 5 of the Burbage Neighbourhood Plan as well as the Good Design Guide SPD.

Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Proposed Site Plan Drg No. PL-10 (submitted: 26.07.2023)
- Proposed Site Floor Plan Drg. No. 265 PL-11 (submitted on 26.07.2023)
- Proposed Compliance Plan Drg No. 265 PL-12
- Proposed Site Sections Drg No. 265 PL-13 (submitted on 01.11.2023)
- Plot 1 Proposed Floor Plans, Elevations Drg No 265 PL20
- Plot 2 Proposed Floor Plans, Elevations, Drg No. 265 PL21
- Plots 1,2 Garages, Proposed Floor Plans, Elevations Drg No 265 PL22
- Vehicle Swept Paths Drg No. PC/0333/23/24 (all submitted 26.07.2023)
- Access Design Drg No. CS/0333/AD/23 (submitted 13.10.2023)

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

3. The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials within the Application Form (submitted: 04.04.2023).

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

4. The development hereby permitted shall be implemented in accordance with the landscaping measures set out in the approved site plan (submitted: 26.07.2023). The soft landscaping shall be carried out in the first planting season following the first occupation of the dwelling to which it relates. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance and promotes biodiversity net gain in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Access Design, drawing number CS/0333/AD/23 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 (2023).

6. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with Proposed Site Plan, drawing number PL-10. Thereafter the onsite parking and turning provision shall be kept available for such use 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 National Planning Policy Framework (2023).

7. 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 5 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 the National Planning Policy Framework (2023)

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 (2023).

9. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A, AA, B, C, D, 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 dwelling shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To protect the character of the surrounding area and to safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. No demolition/development shall take place/commence until a Written Scheme of Investigation (WSI) has been submitted to, and approved in writing by, the Local Planning Authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure a satisfactory archaeological investigation and recording.

11. Construction work of the development, hereby permitted, shall not take place other than between the hours of 07:30 hrs and 18:00 hrs on weekdays and 08:00 hrs and 13:00 hrs on Saturdays and at any time on Sundays, Public and Bank Holidays unless other agreed in writing.

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

12. No development shall take place until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted to and approved in 2 writing to the Local Planning authority. 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 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 Development Plan Document (2016).

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. The Written Scheme of Investigation must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this Written Scheme of Investigation has been secured, the Applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.
3. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance, or alternatively assembled from modular surface water storage/soakaway cell systems, incorporating silt traps. Design and construction of all types of soakaways will be subject to the approval of the Building Control Surveyor.

4. 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).
5. 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.