

Delegated Report

Planning Ref: 25/00872/FUL
Applicant: Mr Nigel Paget
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 83A Mount Road, Hinckley

Proposal: Change of use from light industrial unit (Class B1) to two dwelling houses (Class C3)

Case Officer: Ashleigh Gade (Senior Planning Officer)

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 full planning permission for the change of use of an existing former light industrial building to two dwellinghouses at 83A Mount Road, Hinckley.
- 2.2. The existing building has a footprint of 132 square metres and has an 'L' shaped layout sited adjacent the side and rear boundaries of the site.
- 2.3. The proposed change of use involves the creation of a two-bedroom dwelling on the ground floor and a two-bedroom dwelling on the first floor. The proposal would result in the provision of 2 x two-bedroom dwellings in the form of residential flats.
- 2.4. The proposal involves the replacement of an existing glazed lean-to section on the ground floor for a flat-roof front extension within the same footprint. The existing external stairs to the first floor are to be extended to meet the front elevation of the building, with a privacy screening wall on the eastern elevation of the building.
- 2.5. The proposal involves internal alterations to the layout of the existing building. It also involves creation of new openings on the front and eastern side of the building to accommodate new doors and windows.
- 2.6. The proposal also involves removal of the three existing roof lights on the front elevation and the installation of new roof lights on the western side roof elevation and the rear roof elevation.
- 2.7. The existing access point from Mount Road is to be retained. The proposal provides two parking spaces, located to the front of the building, adjacent to the western boundary.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the settlement boundary of Hinckley. It is located outside of but within 40 metres of the designated town centre boundary.
- 3.2. The application site comprises a two-storey brick building with projecting front gable. The building is of red brick construction with a grey tiled roof. The site is currently vacant but was previously in use for light industrial purposes.
- 3.3. The application site is a backland site located to the rear of a terraced row of dwellings fronting Mount Road. The site is accessed beneath a link-attachment forming part of 83 Mount Road and passing between the dwellings at 83 Mount Road and 85 Mount Road.
- 3.4. The site gains access from Mount Road which is an adopted and unclassified road subject to a speed limit of 30mph. The existing access is gated by way of garage doors sited below the link-attached section of 83 Mount Road.
- 3.5. There is a Public Right of Way (PRoW) Footpath from Hill Street to Thorneycroft Road that passes adjacent the western section of the rear boundary of the site to the north.
- 3.6. The area surrounding the application site is predominantly residential to the south and east. To the west of the site are two dwellings and a social club, located on the corner of Mount Road and Hill Street. Across Hill Street to the west is Hinckley and District Hospital and associated medical practices.
- 3.7. To the north of the site are the rear gardens of dwellings along Hill Street and Thorneycroft Road. There are examples of non-residential uses further north along these roads, including shops, community organisations and a dance school.
- 3.8. The residential character of the area is typically comprised of terraced dwellings with a mix of brick and render finishes and tiled roofing. There are some examples in the wider area of backland or similar development located to the rear of dwellings which address the public highway, with access by private drives.

4. Relevant Planning History

4.1 20/00248/P3CPA

- Prior notification for change of use of a building from light industrial (B1) to five flats (C3)
- Prior Approval Not Required
- 23.04.2020

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents and the posting of a site notice within the vicinity of the site.

5.2 One response was received. The response received was in objection to the proposal.

5.3 The objection received is summarised below:

- The development would overlook neighbouring garden and outdoor space and result in a loss of privacy.
- The plans do not show window placements.
- Request to include conditions that manage overlooking such as obscure glazed or fixed windows, increased boundary fencing, or landscaping.

6. Consultation

6.1 Leicestershire County Council (LCC) Ecology have reviewed the Preliminary Roost Assessment and Bat Emergency Report and have no objections to the proposal, subject to a condition securing required ecological enhancements.

6.2 LCC Highways, the Local Highway Authority (LHA), have advised that in their view the impacts of the development on highway safety would not be unacceptable. The LHA have advised that they consider that the proposal would not represent an intensification of the use of the site, and so the shortfall in car parking spaces is acceptable in these site-specific circumstances.

6.3 Hinckley and Bosworth Borough Council (HBBC) Waste advised that refuse collection for the site must take place from the boundary with the public highway. The imposition of a condition has been recommended to secure appropriate details for waste collection points.

6.4 The following consultees had no objection:

- HBBC Environmental Services (Pollution)
- HBBC Drainage

7. Policy

7.1 Core Strategy (2009):

- Policy 1: Development in Hinckley

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:

- HBBC Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Technical Housing Standards – Nationally Described Space Standards (2015)

8. Appraisal

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

- 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
- Impact on ecology and biodiversity

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. Paragraph 125(d) of the NPPF states that development of under-utilised land and buildings should be promoted and supported.
- 8.8 The application site is located within the identified settlement boundary of Hinckley, and is a brownfield site containing an existing building which is no longer in active use for its original purpose. It is therefore considered that the proposal is acceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within subsequent sections of this 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 have reviewed the revised NPPF and implications for the Council's Five-Year Housing Land Supply. As of April 2024, the Council had 5.26 years of housing supply. However, the Council can no longer demonstrate a Five-year housing land supply.
- 8.13 Given 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 Footnote 9 of the NPPF confirms that these key policies include Paragraphs 66 and 84 of Chapter 5 (Delivering a Sufficiently Supply of Homes), 91 of Chapter 7 (Ensuring the Vitality of Town Centres), 110 and 115 of Chapter 9 (Promoting Sustainable Transport), 129 of Chapter 11 (Making Effective Use of Land), and 135 and 139 of Chapter 12 (Achieving Well-Designed Places).
- 8.15 Notwithstanding that the Council is unlikely to be able to deliver a five-year supply of land for housing, the benefits associated with the provision of two residential properties within the application site are 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 The character of surrounding residential development typically comprises terraced dwellings with direct street frontage, with red facing brick or rendered front elevations with tiled roofing. Notwithstanding this, there is a larger backland site within the immediate area comprising flats managed by Hinckley & Bosworth Borough Council.
- 8.20 The application building is an existing two-storey red brick former light industrial building located on an existing backland site to the rear of terraced dwellings on Mount Road.
- 8.21 The proposed development would convert the existing building into two residential flats, comprising one ground floor flat and one first floor flat. This density of

development is compatible with the broader surrounds and is considered appropriate for the location of the site, in close proximity to the Hinckley Town Centre boundary.

- 8.22 The proposed conversion of the building for residential use does not involve an increase to the existing footprint of the building and the scale and massing of the existing building would remain unchanged.
- 8.23 The proposed development involves modest external alterations to the existing building. These include the removal of the existing dilapidated front lean-to structure and construction of a replacement brick wall to enclose the ground floor of the front elevation. The proposal also includes the creation of 10 new openings to facilitate new windows, doors and rooflights, and the closing of 4 existing openings including three existing rooflights.
- 8.24 The existing external staircase is to be relocated to provide access to the new entrance doorway on the first floor. The existing roof is proposed to be retiled, and existing areas of brickwork on the southern and eastern elevations facing the internal courtyard are to be re-clad with grey fibre-cement cladding. The existing facing brick will be retained on all other elevations.
- 8.25 The external presentation of the building would therefore remain generally consistent with the existing character of the building and with buildings in its surrounds.
- 8.26 It is therefore considered that the proposal sufficiently responds to the context of its surroundings and is of a density, scale and design that complements the character of the surrounding area in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Residential Amenity

- 8.27 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.
- 8.28 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.
- 8.29 The Good Design Guide 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.
- 8.30 The Good Design Guide recommends that a principal window to a habitable room should ideally be no less than 8 metres from the blank side of a single storey neighbouring property, this rises to 14 metres for a two-storey property. The separation distance between two principal habitable room windows should be a

minimum of 21 metres. 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.”*

- 8.31 Notwithstanding this, these separation distances are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size and shape.
- 8.32 The application site is a backland site located to the rear of existing dwellings fronting Mount Road and adjacent on its side boundary to the rear boundaries of dwellings to the east fronting Thornycroft Road and to the west fronting Hill Street. To the rear the building directly faces a public footpath and beyond that is adjacent to the side boundaries of dwellings fronting both Hill Street and Thornycroft Road.
- 8.33 The existing building has no openings on its western elevation or on the eastern elevation where it directly abuts the eastern site boundary. There are no openings on these elevations proposed as part of this application, and as such no change to the impact of the building from these elevations.
- 8.34 The existing rear elevation of the building, which is directly abuts and is visible from the public footpath, has three windows at ground floor level. These windows are to be retained and would serve the proposed kitchen and bedroom windows of the ground-floor flat. These windows have a sill height of 2.3 metres and would therefore provide light to the rooms without giving rise to privacy concerns from users of the footpath.
- 8.35 The eastern elevation of the building which faces the internal courtyard area has one existing ground floor window. The proposal involves the creation of an additional window opening on the first floor which would have a separation distance from the rear habitable room windows at 71 Thornycroft Road of 20 metres. Notwithstanding that this is in shortfall to Good Design Guide guidance, the shortfall is minimal and not inconsistent with the existing layout of the residential development to the rear of dwellings fronting this area of Mount Road and Thornycroft Road.
- 8.36 The existing southern elevation of the building faces the internal courtyard and toward the rear of existing dwellings fronting Mount Road. The existing southern elevations have three windows and a large, glazed section on the existing front lean-to. The proposal involves the replacement of the glazed lean-to with brickwork with openings for three ground floor windows. The proposal also involves the creation of one additional first floor window on the southern elevation.
- 8.37 It is considered that the existing southern elevation ground floor window to serve the ground floor living room would have insufficient outlook and access to natural light by way of its proximity to proposed boundary treatments. Notwithstanding this, there would be no undue amenity impacts for future occupiers as the living room has access to another window on the eastern elevation.

- 8.38 The proposed new first floor window would be located on the same elevation at the same size and height as two existing windows on this elevation. The proposed window and one existing window would serve a hallway area and are thus not considered to be principal habitable room windows.
- 8.39 The existing first floor southern elevation window to the east of that elevation would serve a proposed bedroom within the first floor flat and would be the principal habitable room window. That window has views over an access courtyard area to the rear of dwellings fronting Mount Road and beyond that over the rear gardens of 85 and 87 Mount Road. The existing window has separation distances of 10 metres and 14 metres to rear principal habitable room windows on the dwellings at 85 and 87 Mount Road.
- 8.40 To reduce the impact of the separation shortfall between the southern elevation bedroom window on the application building and the existing rear habitable room windows at 85 and 87 Mount Road, a condition is to be imposed requiring obscure glazing of the window to a minimum height of 1.7 metres above finished floor level.
- 8.41 It is noted that the proposed development is for two flats within the application building whereas a previous application for the site proposed five flats. The proposal for five flats within the existing building was made under 20/00248/P3CPA and it was determined by the Council that Prior Approval would not be required. This decision had an operative timeframe of three years and has thus since expired.
- 8.42 Notwithstanding the above, application 20/00248/P3CPA was made under Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 which, as amended, remains a class of Permitted Development at the time of this report. The application building and its curtilage therefore continue to benefit from Permitted Development rights under Class MA, subject to the Prior Approval process.
- 8.43 Given the above, it is therefore considered that, notwithstanding shortfalls to Good Design Guide standards, the current proposal would result in less impact to residential amenity than previous permitted schemes on the site and forms of development possible through the fallback position under Permitted Development. The proposed development would have a reduced intensity of residential occupation of the building and allows for greater control over amenity concerns arising from the use of existing windows as habitable room windows.
- 8.44 The proposal also involves the creation of a new external staircase to provide access to the first floor flat. It is noted that the original iteration of the proposal involved the creation of a balcony area spanning the width of the front elevation. This element has been removed and reduced to a small landing only, to discourage casual use and habitation of this space which would introduce overlooking concerns.
- 8.45 The existing boundary treatments on the application site would be retained and a new 2 metre high close-boarded timber fence installed between the proposed development and the rear of the dwelling at 83 Mount Road.

- 8.46 To comply with the Good Design Guide, two-bedroom dwellings should provide a minimum of 60 square metres of private outdoor amenity space with a minimum length of 7 metres.
- 8.47 Due to the layout of the existing site and constraints of the existing building to be converted, the proposal does not provide any private garden space to the proposed two-bedroom flats. It is noted that this would also have been the case for the previous proposal for five flats, which could have been undertaken under Permitted Development.
- 8.48 The application site is a brownfield site located proximate to the Town Centre boundary for Hinckley, where a higher provision of services and recreation spaces mean that reduced provision of private garden space may be acceptable. The application site is located less than 200 metres from Hinckley Leisure Centre, Argents Mead and Queens Park and is therefore considered to be well-connected to off-site recreation and public open space facilities.
- 8.49 To support the residential amenity of future occupiers of the scheme, Section 4 of the Good Design Guide seeks to ensure that new residential development exceeds the internal space standards set by the Nationally Described Space Standards (NDSS) wherever possible.
- 8.50 The NDSS requires that a two-bedroom, single storey dwelling provide 70 square metres of internal floor space and 2 square metres of built-in storage space. All dwellings with two or more bedrooms should provide at least one double bedroom. The NDSS requires that double bedrooms have a floor area of at least 11.5 square metres and a minimum width of 2.75 metres for the first double bedroom and of 2.55 metres for every other double bedroom thereafter. For single bedrooms, the NDSS requires a floor area of at least 7.5 square metres and a minimum width of 2.15 metres.
- 8.51 The proposal demonstrates sufficient dimensions and space in each flat for two double bedrooms. The overall floor area of each flat exceeds the minimum overall floor area and built-in storage requirements of the NDSS.
- 8.52 It is therefore considered that on balance and given the site-specific context the proposal would not result in significant adverse impacts to residential amenity of neighbouring properties or to future occupiers of the scheme in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.53 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.

- 8.54 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.
- 8.55 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. Policy DM18 of the SADMP requires that new development provide an appropriate level of parking provision.
- 8.56 All proposals for new development 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) (2024).
- 8.57 Table 13 of the LHDG requires that an access serving 2-5 dwellings have a width of 4.25 metres for a minimum distance of 5 metres behind the highway boundary.
- 8.58 Table 28 of the LHDG requires that dwellings with up to three bedrooms provide a minimum of two off-street parking spaces. The LHDG requires that parking spaces have minimum dimensions of 2.4 metres in width by 5.5 metres in depth, and an additional 0.5 metres in width is required if the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstruction on one side and an additional 1 metre in width where the space is bounded on both sides.
- 8.59 The development proposes to use the existing access from Mount Road to serve the two resulting flats. The proposed flats would be provided with one off-street parking space each, with the two parking spaces to be served by EV charging points.
- 8.60 The LHA have advised that the existing access to Mount Road is substandard against Table 13 of the LHDG, and that the proposal underprovides on car parking numbers against Table 28 of the LHDG. Notwithstanding this, given the constraints of the site improvements to access and parking are not possible.
- 8.61 It has been noted by the LHA in their response that the application site is located in a sustainable location, in proximity to services and transport within the Hinckley Town Centre. Furthermore, the LHA have considered that, when compared to the previous use of the site for B1 purposes, the proposed residential use of the site would not represent an intensification in use across the site.
- 8.62 It is therefore considered that in these site-specific circumstances the proposal would not create an unacceptable impact on highway safety or the wider road network in accordance with Policies DM17 and DM18 of the SADMP, and the requirements of the LHDG.

Impact on Ecology and Biodiversity

- 8.63 Paragraph 193 of the NPPF confirms that where significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 8.64 Policy DM6 of the SADMP states that developments must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.65 The application is exempt from statutory Biodiversity Net Gain (BNG) requirements under the de minimis exemption.
- 8.66 A Preliminary Roost Assessment and Bat Emergence report have been submitted with the application. The existing building has been assessed as having low roosting suitability with commuting bats identified but no bat emergence found during survey.
- 8.67 LCC Ecology have advised that ecological enhancements are required as part of the development. These are to be secured through the imposition of a suitably worded planning condition.
- 8.68 It is therefore considered that the proposal complies with Paragraph 193 of the NPPF and Policy DM6 of the SADMP.

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 be granted, subject to the imposition of appropriate conditions.

11. Recommendation

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

- Planning conditions detailed at the end of this report

11.2 Conditions and Reasons

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

- Site Location, Block Plan, Drg No. 259/P3 (submitted: 23.02.2026)
- Proposed Floor Plans and Elevations, Drg No. 259/P2A (submitted: 06.07.2026)

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. The materials to be used on the proposed development shall accord with the information as detailed within the submission documents as part of this planning application.

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 southern elevation window hereby permitted serving Bedroom 2 of the first floor flat shall be fitted with obscure glazing to a minimum height of 1.7 metres above Finished Floor Level. The obscure glazing shall be to a minimum of Pilkington Level 3 (or equivalent), and the window shall remain obscurely glazed in perpetuity.

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

5. No development shall take place until a scheme for the installation of electric vehicle charging points has been submitted to and approved in writing by the local planning authority. The scheme shall identify the number of units to be provided together with full detail of the location and fitting of the units and shall be implemented in accordance with the approved details.

Reason: To ensure that the proposal meets the requirements of Policy DM10(g) of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework.

6. No development shall take place until a scheme that makes adequate provision for waste and recycling storage of containers and collection across the site has been submitted to and approved in 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) and the National Planning Policy Framework.

7. No development shall take place until a biodiversity enhancement plan has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) at least one woodcrete/integrated bird box and woodcrete/integrated bat box with the makes/models and their locations. 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 and enhance protected wildlife species and their habitats on the site in accordance with Policy DM6 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 building.control@blaby.gov.uk or call 0116 272 7533.
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.