

Development Management
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR

29th April 2024

Planning Portal Ref: PP-13020558

Dear Sir/Madam

RE: Variation of Condition 2 (Approved Plans), Condition 3 (Materials), Condition 4 (Drainage Details), Condition 5 (Construction Traffic Management Plan), Condition 6 (Access Arrangements), Condition 9 (Parking and Turning Facilities) and Condition 12 (Landscaping), and removal of Condition 16 (Cycle Storage) of full permission 23/00119/FUL (Section 73 Application)

Pharmacy Heath Lane Surgery, Westfield Avenue, Earl Shilton, LE9 7RT

Intronduction

Avant Homes West Midlands ("Avant Homes") seeks approval from Hinckley & Bosworth Borough Council for a minor material amendment (Section 73) to full planning permission 23/00119/FUL dated 16th June 2023 which permits the following development at Pharmacy Heath Lane Surgery, Westfield Avenue, Earl Shilton, LE9 7RT:

"Proposed erection of 9 dwellings with associated access, car parking, landscaping and drainage."

Section 73 Application Details

This application seeks approval for a minor material amendment (Section 73) to several conditions to reflect Avant Homes' house types and build requirements. The proposed description of development is therefore as follows:

"Variation of Condition 2 (Approved Plans), Condition 3 (Materials), Condition 4 (Drainage Details), Condition 5 (Construction Traffic Management Plan), Condition 6 (Access Arrangements), Condition 9 (Parking and Turning Facilities), Condition 12

(Landscaping) and Condition 16 (Cycle Storage) of full permission 23/00119/FUL (Section 73 Application)."

The submission comprises the drawings set out at **Appendix 1**, with the approved drawings which they are proposed to replace indicated alongside.

Site Context and Planning History

The site is located to the west of Earl Shilton and comprises a single undeveloped field with an area of 0.25ha. It is bound:

- To the north by existing residential properties developed by Avant Homes under permission 14/01279/OUT;
- To the east by a wooded area beyond which are the properties off Mountfield Road;
- To the south by Heath Lane Surgery and its dedicated car park; and
- To the west by Westfield Avenue beyond which is an undeveloped parcel used for materials storage by Avant Homes under permission 14/01279/OUT.

The site is itself generally flat but does gently slope from east to west.

The site benefits from an extensive planning history which is detailed within approval 23/00119/FUL, however it is 23/00119/FUL itself which represents the most pertinent record given this application seeks its amendment.

Development Proposals

A minor material amendment is sought to replace the approved erection of nine dwellings pursuant 23/00119/FUL. The replacement dwellings would comprise four different house types:

House Type	Size/Type of Dwelling	Height (Storeys)	No. of Dwellings
Oakwood	3 Bedroom Semi-Detached	2	4
Maltby	3 Bedroom Detached	2	2
Leyburn	3 Bedroom Detached	2	1
Salbury	3 Bedroom Semi-Detached	2.5	2
Total	–	–	9

Proposed House Types

The proposed development will have a net density of circa 35 dwellings per hectare (dph).

A comparison between the approved and proposed amendment house types is set out below:

Plot No.	Approved	Proposed
1	3 Bedroom Detached	3 Bedroom Detached
2	3 Bedroom Detached	3 Bedroom Detached
3	3 Bedroom Detached	3 Bedroom Detached
4	3 Bedroom Semi-Detached	3 Bedroom Semi-Detached
5	3 Bedroom Semi-Detached	3 Bedroom Semi-Detached
6	3 Bedroom End-Terrace	3 Bedroom Semi-Detached
7	3 Bedroom Mid-Terrace	3 Bedroom Semi-Detached
8	3 Bedroom Mid-Terrace	3 Bedroom Semi-Detached
9	3 Bedroom End-Terrace	3 Bedroom Semi-Detached

Approved and Proposed House Types

As shown, there is no change to the approved mix (being 100% 3-beds) with the only difference relating to plots 6-9 which are proposed to be arranged across two pairs of semi-detached plots as opposed to a single terrace of four plots.

In addition to the proposed house type amendments, the following amendments are also sought:

Condition	Summary of Proposed Amendments
3 – Materials	Alternative materials to reflect Avant Homes' specification.
4 – Drainage Details	Amended drainage details to reflect amended house types.
5 – Construction Traffic Management Plan	Alternative CTMP to reflect Avant Homes' specification.
6 – Access Arrangements	The access arrangement remains unaffected; however, the Proposed Compliance Plan (Ref. PL-11A), to which this condition refers, requires amending to reflect the replacement house types.
9 – Parking and Turning Facilities	The parking and turning facilities remain unaffected; however, the Proposed Compliance Plan (Ref. PL-11A), to which this condition refers, requires amending to reflect the replacement house types.
12 – Landscaping	Alternative landscaping to reflect Avant Homes' specification.

Condition	Summary of Proposed Amendments
16 – Cycle Storage	This condition is proposed for removal as cycle storage is to be integrated instead of provided through external purpose-built structures.

Summary of Proposed Amendments

Planning Policy Context

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was updated on 19th December 2023 and maintains the legal requirement that applications for planning permission must be determined in accordance with the Development Plan, and that the NPPF is a material consideration in planning decisions (paragraph 2).

It states that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7) which is comprised of three dimensions; economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

The Development Plan

The Development Plan for the Borough comprises:

- *Core Strategy (adopted December 2009)*
- *Site Allocations and Development Management Policies DPD (adopted July 2016)*
- *Earl Shilton and Barwell Area Action Plan (adopted September 2014)*

The Policies considered relevant from each document are referenced in the Planning Assessment section below.

Other Material Considerations

Other material considerations relevant to the determination of this application include:

- *Affordable Housing SPD (February 2011)*
- *The Good Design Guide SPD (March 2020)*
- *Leicestershire Highway Design Guide (2022)*

Planning Assessment

In terms of the principle of development, this has already been established by 23/00119/FUL. Notwithstanding, this application does not seek to amend description of development nor the proposed land use or quantum of development.

In summary, the proposed changes are discrete in nature and simply seek to modify the scheme to align with Avant Homes' specification.

As earlier highlighted, there is no change to the approved mix (being 100% 3-beds) with the only difference relating to plots 6-9 which are proposed to be arranged across two pairs of semi-detached plots as opposed to a single terrace of four plots. It is considered limited impact would arise from this change, particularly considering the mix would remain unchanged.

Regarding compliance with the optional technical standards, it should be noted that neither the Development Plan or adopted planning policy require the imposition of optional technical standards including Nationally Described Space Standards (NDSS) or M4(2) standards. However, all four proposed house types comply with NDSS whilst the Oakwood is M4(2) compliant.

In addition to the proposed house type amendments, the following amendments are also sought:

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12 – Landscaping	Alternative landscaping to reflect Avant Homes' specification.

Condition	Summary of Proposed Amendments
16 – Cycle Storage	This condition is proposed for removal as cycle storage is to be integrated instead of provided through external purpose-built structures.

Summary of Proposed Amendments

Again, these changes are considered discrete in nature and would not give rise to any additional harm, ensuring the proposals remain in accordance with the Local Plan.

Application Submission

The submission is being made electronically via the Planning Portal and is accompanied by this letter and the application fee of £293 (with Planning Portal Reference: PP-13020558) being the required fee in this instance.

If you have any questions relating to this submission, please contact me in the first instance. We look forward to receiving confirmation of the validation of this application in due course.

Yours faithfully



Harry Plotnek
Planning Manager

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Appendix 1

Condition		Approved Drawing			Amended Drawing		
No.	Description	Document Title	Reference	Author	Document Title	Reference	Author
2	Approved Plans	Site Location Plan	PL-01A	Lawrence Finley Architects	Site Location Plan		Avant Homes
		Proposed Site Plan	PL-10A		Planning Layout		Avant Homes
		Proposed Compliance Plan	PL-11A		Compliance Plan		Avant Homes
		Proposed Site Floor Plan	PL-12A		Enclosures Plan		Avant Homes
		Proposed Site Block Plan	PL-13A		Street Scenes		Avant Homes
		Proposed Site Sections	PL-15A		Planning Sheet – Floor Plans – Maltby – Det	MAL/0-001 Rev A	Avant Homes
		Plot 1 and 2 Elevations and Floor Plans	PL-20A		Planning Sheet – Elevations – Standard – Maltby – Det	MAL/0-002 Rev A	Avant Homes
		Plot 3 Elevations and Floor Plans	PL-21A		Planning Sheet – Floor Plans – Oakwood – Semi	OAK/0-001 Rev A	Avant Homes
		Plot 4 and 5 Elevations and Floor Plans	PL-22A		Planning Sheet – Elevations – Standard – Oakwood – Semi	OAK/0-002 Rev A	Avant Homes
		Plots 6, 7, 8 and 9 Floor Plans	PL-23A		Planning Sheet – Floor Plans – Saltbury – End – Alt	SAL/ALT/END/0-001.5 Rev A	Avant Homes
		Plots 6, 7, 8 and 9 Elevations	PL-24A		Planning Sheet – Elevations – Standard – Saltbury – End – Alt	SAL/ALT/END/0-002.5 Rev A	Avant Homes
		Proposed Cycle Storage	PL-16		Planning Sheet – Floor Plans – Saltbury – End	SAL/END/0-001.5 Rev A	Avant Homes
					Planning Sheet – Elevations – Saltbury – End	SAL/END/0-002.5 Rev A	Avant Homes

					Planning Sheet – Floor Plans – Leyburn – Det	LEY/DET/0-001 Rev A	Avant Homes
					Planning Sheet – Elevations – Standard – Leyburn – Det	LEY/DET/0-002 Rev A	Avant Homes
3	Materials	Materials Proposals	Received 15 th May 2023	Cadeby Homes	Materials Plan		Avant Homes
		Materials Site Plan	Received 15 th June 2023	Lawrence Finley Architects			
4	Drainage Details	External Works & Private Drainage Layout	27695_02_040_01 – Rev C	M-EC	External Works Construction Details	27695_02_080_01 – Rev B	M-EC
		External Works Construction Details	27695_02_080_01 – Rev A		Surface Finishes Layout	27695_02_060_01 – Rev B	
		Surface Finishes Layout	27695_02_060_01 – Rev A		Private Drainage Construction Details	27695_02_080_03 – Rev B	
		Private Drainage Construction Details	27695_02_080_03 – Rev A		Attenuation and Flow Control Construction Details	27695_02_080_04 Rev A	
		Attenuation and Flow Control Construction Details	27695_02_080_04		Adoptable Drainage Construction Details	27695_02_080_02 Rev A	
		Adoptable Drainage Construction Details	27695_02_080_02				
5	Construction Traffic Management Plan	Construction Traffic Management Plan	Dated 9 th May 2023	Cadeby Homes	Construction Traffic Management Plan		Avant Homes
6	Access Arrangements	Proposed Compliance Plan	PL-11 Rev A	Lawrence Finley Architects	Compliance Plan		Avant Homes

9	Parking and Turning Facilities	Proposed Compliance Plan	PL-11 Rev A	Lawrence Finley Architects	Compliance Plan		Avant Homes
12	Landscaping	Landscape Proposals	Rev A Received 13/02/23	Martin F. Holland	Detailed Landscape Proposals	c-2181-01	PDP Associates
		Proposed Compliance Plan	PL-11 Rev A	Lawrence Finley Architects			
16	Cycle Storage	Proposed Compliance Plan	PL-11 Rev A	Lawrence Finley Architects	Proposed for deletion		
		Proposed Cycle Storage	PL-16	Lawrence Finley Architects			