

## Delegated Report

Planning Reference	24/01091/FUL	 Hinckley & Bosworth Borough Council	
Applicant(s)	Mr Paul Morris		
Ward	Hinckley DeMontfort		
Application Site	84 Leicester Road, Hinckley, Leicestershire		
Proposal	Erection of three dwellings		
Case Officer	Sullevan Archer (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 provision of three, four-bedroom, detached bungalows with accommodation in the roof space at land to the rear of 84 Leicester Road, Hinckley.
- 2.2. Two properties utilise the existing access from the site onto Leicester Road and Plot Three is served by its own private access onto Leicester Road from 84 Leicester Road. All three properties are accompanied by 4.3m wide by 6.6m deep single garages that have a gable-fronted pitched roof with a ridge height of 4.8m.
- 2.3. Plot One externally measures 15m in width by, 10.7m in depth, which creates a total footprint of 138.7sqm. The proposal features a hipped roof that has two pitched gable-fronted roofs on the front and back of the property. All the roofs have a ridge height of 6.6m
- 2.4. Plots Two and Three have the same design and externally measure 15.3m in width by 12.5m in depth, which creates a total footprint of 138.2sqm for each property. Both properties have a pitched roof with two gable-fronted pitched roofs on the front elevation, and a dormer window and a gable-fronted pitched roof on the rear. The properties have a ridge height of 6.6m.

### 3. Description of the Site and the Surrounding Area

- 3.1. The 0.3ha application site comprises an undeveloped parcel of land to the rear of properties that front Leicester Road within an established residential area of Hinckley.

- 3.2. There are three trees (1 x Sycamore, 1 x Ash, and 1 x Oak) along the northwest boundary of the site that are protected by a Tree Preservation Order (08/00001/TPORD). The site is currently accessed via an existing shared driveway to the side of 84 Leicester Road. Leicester Road is an adopted and classified 'B' Road (B4668) that is subject to a 30mph speed limit.
- 3.3. The surrounding residential area is predominantly characterised by a variety of dwellings including detached bungalows, dormer bungalows, and large two-storey dwellings of a varying size, form, and appearance, that are primarily set within substantial plots arranged along the road frontage. In particular, the existing dwellings, which are adjacent to the appeal site and front Leicester Road, are set within substantial plots and predominantly have long rear gardens with trees and vegetation on their boundaries. Overall, this gives the area a prevailing, spacious, formal, and verdant character, and appearance.

#### **4. Relevant Planning History**

##### **4.1 24/00387/FUL**

- Erection of four detached bungalows and associated works
- Refused
- 09.08.2024

The application was refused for the following reasons:

1. The proposal results in a cramped and uncharacteristically dense form of development in a back land location that is accentuated by the visual prominence of the scheme from the public highway. This is considered to result in significant harm to the character and appearance of the area, which is contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the Good Design Guide (2020).
2. The Applicant has failed to demonstrate that the protected trees on the application site won't be detrimentally affected by the proposal. This is likely to cause a significant adverse effect on the character of the site and the surrounding area, which is contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the Good Design Guide.
3. The development results in significant adverse impacts to the residential amenity of the future occupants of Plots 2 and 3, and the neighbouring residents of 88 Leicester Road as a result of loss of privacy, overlooking, and overbearing impacts. This is contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the Good Design Guide (2020).

4.2 **23/00029/PP**

- Erection of five dormer bungalows
- Appeal Dismissed
- 07.12.2023

4.3 **22/00772/FUL**

- Erection of five dormer bungalows
- Refused
- 20.02.2023

4.4 **22/00021/PP**

- Erection of six detached dwellings
- Appeal Dismissed
- 02.11.2022

4.5 **21/00981/FUL**

- Erection of six detached dwellings
- Refused
- 13.05.2022

4.6 **19/00009/PP**

- Erection of seven dwellings, garages, and associated drive (resubmission of application 17/00096/FUL)
- Appeal Dismissed
- 05.06.2019

4.7 **17/01297/FUL**

- Erection of seven dwellings, garages, and associated drive (resubmission of application 17/00096/FUL)
- Refused
- 07.09.2018

4.8 **17/01294/FUL**

- Erection of one detached dwelling
- Refused
- 07.09.2018

4.9 **17/00096/FUL**

- Erection of seven dwellings, garages and associated drive
- Withdrawn
- 25.04.2017

4.10 **14/00908/FUL**

- Demolition of a dwelling and erection of 2 dwellings with garages
- Permitted
- 19.01.2015

4.11 **13/00424/FUL**

- Erection of dwelling
- Permitted
- 05.03.2014

4.12 **11/00178/FUL**

- Demolition of existing detached garage and erection of single storey dwelling
- Permitted
- 28.04.2011

4.13 **08/00780/FUL**

- Demolition of two dwellings (No 84 and No 86 Leicester Road) and erection of ten dwellings with associated garages and access
- Refused
- 19.11.2008

4.14 **07/01486/FUL**

- Demolition of two dwellings (No 84 and No 86 Leicester Road) and erection of ten dwellings with associated garages and access
- Refused
- 12.03.2008

4.15 **80/0457/4**

- Erection of a bungalow, rear 86/88 Leicester Road, Hinckley
- Refused
- 24.06.1980

**5. Publicity**

- 5.1 The application has been publicised by sending out letters to local residents.
- 5.2 In total, four members of the public responded to the planning application. One member of the public made comments in support of the proposal, one did not support nor object to the proposal, and two other members of the public objected to the development and raised objections due to harm to the residential amenity of neighbouring properties, and flooding concerns.
- 5.3 One member of the public highlighted discrepancies within the Planning Statement and the submitted plans. Another member of the public requested a planning condition to ensure that the private drive was hard surfaced to avoid noise and nuisance to the residential amenity of neighbouring properties.

## **6. Consultation**

- 6.1 There have been no objections from the following consultants:
  - Hinckley & Bosworth Borough Council (HBBC)'s Drainage Department (subject to conditions)
  - HBBC's Environmental Health Department (subject to conditions)
  - Leicestershire County Council (LCC)'s Ecology Department (subject to conditions)
  - Local Highway Authority (LHA) (subject to conditions)

### Drainage

- 6.2 The Council's Drainage Department requested a pre-commencement planning condition that secured a surface water drainage plan that incorporated sustainable drainage principles. The Applicant agreed to the condition on 10 June 2025.

### Ecology

- 6.3 The County Council's Ecology Department had a holding objection to the development, subject to clarification on the retention of trees T1 to T4. The Applicant submitted an amended ecological report on 13 May 2025. On 05 June 2025, the Ecology Department found the amended ecological report to be acceptable but highlighted that suitable off-site biodiversity net gain is required.
- 6.4 The County Council's Ecology Department also requested planning conditions that secured a Construction Environmental Management Plan (CEMP) and a Habitat Monitoring and Management Plan (HMMP). The Applicant agreed to the conditions on 10 June 2025 and confirmed that they shall be purchasing off-site biodiversity credits from a registered supplier.

### Pollution

- 6.5 The Council's Environmental Health Department requested a planning condition to limit site preparation and construction hours.

## 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)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

### 7.4 Other Relevant Guidance:

- 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 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

#### 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. 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. 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.

8.5 Nevertheless, in accordance with Paragraph 232 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF.

8.6 The application site is within the identified settlement boundary of Hinckley. Given the above, the proposal is considered to be acceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of the report.

#### Housing Land Supply

8.7 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.

8.8 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.

8.9 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.

8.10 The Planning Policy team are currently reviewing the latest revisions to the NPPF within the 2024 version of the document and its implications for the Council's Five-Year Housing Land Supply. A revised position will be published by the end of June 2025 once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings (649dpa + 5% buffer as per Paragraphs 62 and 78(a) of the NPPF), that the Council will be unable to demonstrate a Five-Year Housing Land Supply once the revised position is published.

8.11 In light of this, and due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered in accordance with Footnote 8 and Paragraph 11 of the NPPF.

8.12 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.

8.13 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).

8.14 The development is for three residential properties, and therefore Policy 15 (Affordable Housing) and Policy 16 (Housing Density, Mix and Design) of the adopted Core Strategy are not applicable for this scheme.

8.15 Whilst it is unlikely that the Council are unable to deliver a five-year supply of land for housing, the benefit of providing three dwellings within this application site towards the Council's supply of housing is considered to attract limited weight in the planning balance.

#### Design and Impact upon the Character of the Area

8.16 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.

8.17 The Good Design Guide states that where an existing plot is proposed to be subdivided to create additional development in 'backland' locations, this will require clear and convincing justification to its context. Some sites may be able to accommodate this type of development, whereas others will not.

8.18 The materials and the boundary treatment of the development have not been confirmed at this stage, but these details can be secured via planning condition.

8.19 There are nearby examples of houses set behind properties on back land sites, particularly to the north-north-east of the site. However, these tend to be single storey and low-key and therefore they are not considered to be a defining characteristic of the area.

8.20 In comparison to the previous planning application 24/00387/FUL, only three dwellings within the application site rather than four. This is considered to reduce the overall density and development of the site.

8.21 The size of both Plot One and Two have been reduced, which reduces the total footprint of proposed development within the site from 600sqm to 500sqm in comparison to the previously refused proposal. This also represents a 135sqm reduction in the total footprint of the development since dismissed 2022 scheme for five dwellings within the site.

8.22 As a result, this has increased the separation distance between the three plots and the boundaries of the site. For example, in comparison to the previously refused scheme, Plot One is now 3.9m further from the western boundary of the site and 15.3m from the northern boundary of the site, which represents an increase of 1.3m and 4.4m respectively. Furthermore, Plot Two is now 13.6m from the northern boundary of the site and 4.5m from the eastern boundary of the site, which represents an increase of 2.6m and 1.9m respectively.

8.23 Given the above, the development of three dwellings within this site is not considered to appear overly cramped or overly at odds with the existing spacious pattern of development Leicester Road and the immediate locality in these site-specific circumstances.

8.24 However, to accommodate this reduced size, the scale and the massing of Plot One and Plot Two has increased. To facilitate the accommodation within the roof space, the ridge height of all three plots has increased to 6.6m, which represents a 1m increase for both Plots One and Two. Whilst this increases the height of the development beyond the single storey and 'low key' form of residential development in back land sites in the surrounding area, this is not considered to result in harm to the character of the area to an unacceptable degree in these site-specific circumstances.

8.25 By virtue of these factors, the proposal is now considered to sufficiently respect the character of the surrounding area in accordance with Policy DM10 of the SADMP.

### Impact upon Residential Amenity

8.26 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.

8.27 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.

8.28 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

8.29 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.

8.30 In addition, the separation distance between two principal windows to habitable windows should be a minimum of 21m. However, 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 Plot One is the closest property to 82 Hinckley Road to the west. Plot One 23.7m to the north and rear of 82 Hinckley Road, which exceeds the minimum separation distances between principal habitable windows required within the Good Design Guide. Given the siting and angle of Plot One and its separation distance from 82 Hinckley Road, the development is not considered to result in any significant adverse impacts to the residential amenity of 82 Hinckley Road.

8.33 Plots One and Two are the closest proposed structures to the neighbouring dwellings, 13 to 17 Island Close to the north. The rear elevations of the two proposed plots are separated from the rear boundaries of these neighbouring properties by a minimum of 13.5m, which increases to 28.6m to their rear elevations. This exceeds the requirements of the Good Design Guide and therefore the development is not considered to result in any significant adverse impacts to the residential amenity of the neighbouring properties along Island Close to the north of the site.

8.34 Plot Two is the closest plot to 94 Hinckley Road to the east, which is 25.7m beyond the eastern side elevation of Plot Two. There are no windows on the first floor of the eastern elevation of Plot Two, and given this separation distance, the development is not considered to result in any significant adverse impacts of the residential amenity of 94 Hinckley Road. As there are no windows on the first floor of the eastern elevation of Plot Two, it is not considered that this structure results in any overlooking or loss of privacy to the residential garden space of 88 Hinckley Road.

8.35 Plot Three is the closest property to 88 Hinckley Road and is 23.9m northwest of the rear elevation of this neighbouring property. The windows on the first floor of the eastern side elevation on Plot Three are separated from the rear garden of 88 Hinckley Road by 12.9m. Due to these factors, the development is not considered to result in any significant adverse impacts to the residential amenity of 88 Hinckley Road.

8.36 Plot Three is also the closest structure to 84, 84A, and 86 Hinckley Road. The closest of these three neighbouring properties is 84A, which is 19.5m from the southern side elevation of Plot Three. This distance is also separated by existing outbuilding associated with 84A and 86 Leicester Road. In addition, no windows are proposed on the first floor of this side elevation, and therefore it is not considered that Plot Three results in any overlooking or loss of privacy to these neighbouring properties. Given the above, the development is not considered to result in any significant adverse impacts to the residential amenity of the neighbouring properties 84, 84A, or 86 Leicester Road to the south of the site.

8.37 In summary, the proposal is not considered to result in any significant adverse impacts to the residential amenity of neighbouring dwellings in accordance with Policy DM10 of the SADMP.

8.38 To support the residential amenity of future occupiers of the scheme, one of the aims of Section 4 (New Residential Development) within The Good Design Guide is to ensure that new residential development exceeds the internal space standards set by the Nationally Described Space Standards (NDSS) (2015) wherever possible.

8.39 Proposals for four-bedroom, two-storey dwellings should provide a minimum of 97sqm of floor space and 3sqm of built-in storage in accordance with the NDSS.

8.40 All three properties comply with the internal floor space requirements of the NDSS. Whilst insufficient built-in storage is provided within the submitted plans, it is considered that there is sufficient internal floor space to provide an appropriate provision of in-built storage in accordance with the NDSS.

8.41 In accordance with Paragraph 10(c) of the NDSS, to provide one bed space, a single bedroom should have a floor area of at least 7.5sqm, and a width of at least 2.15m. In order to provide two bed spaces, a double or twin bedroom should have a floor area of at least 11.5m, and a width of 2.75m for the master bedroom, and a

width of 2.55m for every other bedroom in accordance with Paragraphs 10(d) and (e) of the NDSS.

8.42 Following the submission of additional information, it is considered that all three properties comply with the internal floor space requirements of the NDSS.

8.43 To comply with the Good Design Guide, for-bedroom houses should also provide a minimum of 80sqm of private outdoor amenity space with a minimum length of 7m.

8.44 All three dwellings are provided with sufficient private outdoor amenity space that exceeds the requirements of the Good Design Guide.

8.45 By virtue of these factors, the proposal does not result in any significant adverse impacts to the residential amenity of neighbouring properties or the 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

8.46 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.

8.47 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).

8.48 Access to all plots is via Leicester Road, which is a classified 'B' road ('B4668') that is subject to a 30mph speed limit. Plots 1 and 2 utilise an existing vehicular access onto Leicester Road and Plot 3 is served with a new driveway connection onto the public highway.

8.49 There has been one recorded Personal Injury Collision (PIC) within 500m in either direction of the site access recorded in December 2020. The PIC was classed as 'slight' in severity. Leicestershire County Council as the Local Highway Authority (LHA) considered the proposal unlikely to exacerbate the existing situation. In light of the above, the LHA have reviewed the submitted proposals and are satisfied that the site access arrangements including visibility splays and surfacing are acceptable in accordance with Table 13 of the LHDG.

8.50 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Table 28 (Residential Parking Standards) of the LHDG requires dwellings with up to three bedrooms should provide a minimum of two off-street parking spaces. This increases to a minimum of three off-street parking spaces for properties with four or more bedrooms. Any reduction below minimum standards requires robust justification.

8.51 In accordance with the LHDG single bay garages should have a minimum internal dimension of 3m in width by 6m in depth, with a minimum door width for 2.3m. This increases to 6m in width with a minimum door width of 4.2m for double garages.

8.52 All three properties are providing with a single bay garage and a minimum of two additional off-street parking spaces. All three single garages and all the off-street parking spaces comply with the requirements of the LHDG. Therefore, the proposal provides a sufficient quantum of off-street parking for each dwelling.

8.53 By virtue of these factors, it is considered that the proposal does not create an unacceptable impact on highway safety or the road network in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

## **9. Equality Implications**

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3 There are no known equality implications arising directly from this development.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

## **10. Conclusion**

10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

## 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:

- Proposed Floor Plans, Elevations, Site Plan, and Site Sections (1219-MP B) (submitted: 29.11.2024)
- Site Plan (submitted: 29.11.2024)

**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. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light, and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the construction.

**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).

4. Prior to the commencement of development, a 30-year Habitat Monitoring and Management Plan (HMMP), shall be prepared in accordance with an approved Biodiversity Gain Plan, submitted to and approved in writing by the

Local Planning Authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- (a) Description and evaluation of the features to be managed; and
- (b) Ecological trends and constraints on site that may influence management; and
- (c) Aims, objectives and targets for management - links with local and national species and habitat action plans; and
- (d) Description of the management operations necessary to achieving aims and objectives; and
- (e) Preparation of a works schedule, including annual works schedule; and
- (f) Details and a timetable of the monitoring needed to measure the effectiveness of management; and
- (g) Details of the persons responsible for the implementation and monitoring; and
- (h) Mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
- (i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain.

**Reason:** To enhance biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990).

5. Prior to the commencement of development, a scheme for a sustainable surface water drainage system that incorporates sustainable drainage principles (SuDS) shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**Reason:** To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to minimise the risk of pollution in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. No development above foundation level shall commence on site until representative sample of the types and colours of materials to be used on the external elevations of the structures hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with those approved materials.

**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).

7. No part of the development hereby permitted shall be occupied until a scheme of hard and soft landscaping works, including boundary treatments, for the site including an implementation scheme, has been submitted in writing to, and approved in writing by, the Local Planning Authority. The scheme shall be carried out in full accordance with the approved landscaping scheme in the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is sooner. 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 in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Site Plan (submitted: 29.11.2024) have been implemented in full.

**Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

9. No part of the development hereby permitted shall be occupied until such time as the parking and turning facilities have been implemented in accordance with DCI Architecture LTD drawing number 42 Rev B. Thereafter the onsite parking (and turning) provision shall be kept available for such uses 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 (2024).

10. No part of the development hereby permitted shall be occupied until such time as a scheme for the provision of waste and recycling storage and collection areas across the site has been submitted to, and be approved in writing by, the Local Planning Authority. The scheme shall address accessibility to storage facilities and confirm adequate space is provided at the highway

boundary to store and service wheeled containers. The development shall be implemented in accordance with the approved scheme prior to first occupation.

**Reason:** To support the policies within the Wheeled Bin and Container Policy (updated March 2018) and to ensure that there is adequate provision of waste and recycling storage so that the amenity of the occupants of the proposed development are not adversely affected in accordance with Hinckley and Bosworth Borough Council's Wheeled Bin and Contained Policy (updated March 2018), Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Section 46 of the Environmental Protection Act 1990.

11. The development shall be carried out in full accordance with the Tree Protection Plan Rev B within Appendix C of the Tree Report (submitted: 29.11.2024)

**Reason:** To ensure that the existing trees on the site are retained and protected in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. Notwithstanding the provisions of Classes A, AA, B, C, D, and E of Part 1 of Schedule 2 of Article 3 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).

13. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

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

14. Site preparation and construction shall be limited to the following hours:

Monday – Friday 07:30 – 18:00

Saturday 09:00 – 14:00  
No working on Sundays and Bank Holidays

**Reason:** To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **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](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.
2. Your attention is drawn to the Biodiversity Net Gain note within the Decision Notice. The development is subject to the Biodiversity Gain Condition. A Biodiversity Gain Plan needs to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The application can be made online here: [https://www.hinckley-bosworth.gov.uk/info/200249/view\\_planning\\_applications\\_and\\_decisions/1476/does\\_the\\_property\\_comply\\_with\\_planning\\_conditions](https://www.hinckley-bosworth.gov.uk/info/200249/view_planning_applications_and_decisions/1476/does_the_property_comply_with_planning_conditions).
3. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway, the Applicant must ensure all necessary licences/ permits/ agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
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. Where soakaway drainage is initially proposed, the suitability of the ground strata for infiltration should be ascertained by means of the test described in BRE Digest 365 and the results submitted to the LPA before development is commenced, including calculations of soil infiltration rate and soakaway sizing. A minimum of 3 test locations will be required in order to obtain representative results for the development site. If the ground strata proves unsuitable for infiltration, alternative SuDS proposals will require the further approval of the LPA before development shall commence.
6. The drainage scheme should be designed in accordance with the CIRIA SuDS Manual (C753), incorporating sustainable drainage principles and the appropriate level of treatment trains to improve water quality before discharging into the downstream system. Drainage details shall include hydraulic calculations to demonstrate that the proposed drainage system for the development will operate satisfactorily and not result in any flooding off-

site in the 1 in 100-year rainfall event, plus an appropriate allowance for climate change.

7. Hinckley & Bosworth Borough Council's recycling and refuse collection services are from the boundary to the adopted highway and do not travel along, nor collect from private roads or driveways. Please refer to the policies within the Wheeled Bin and Container Policy (updated March 2018).

If all, or part, of the new roads within the development are to be private (unadopted), then consideration will need to be given to the adequate and safe collection of domestic recycling, garden waste, and refuse at the adopted highway boundary (up to two bins per property at one time). It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.