

Delegated Report

Planning Ref: 25/00396/OUT
Applicant: Mr J Smith
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: Sherwood, Nutts Lane, Hinckley

Proposal: Outline planning permission for residential development of up to 2 dwellings (All matters reserved except for access)

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 outline planning permission for the provision residential development of up to 2 dwellings at Sherwood, Nutts Lane, Hinckley. This outline application seeks approval only for access with all other matters being reserved.
- 2.2. The application site is to be accessed from Nutts Lane. The access from Nutts Lane is existing and is located to the south of the existing dwelling at Sherwood.
- 2.3. The precise appearance of the scheme is reserved for later approval and therefore, the extent of the application is hereafter described and assessed via the indicative scales and appearance as shown on the submitted plans.
- 2.4. Indicatively, the proposal includes two detached dwellings sited to the rear (west) of existing dwellings Sherwood and East View. The resulting plots would represent backland development. The Illustrative Site Plan suggests that the two dwellings would each comprise four bedrooms and provide up to three parking spaces.
- 2.5. Considering the description of the outline planning application, which refers to a maximum of 2 dwellings, permission is in effect, sought for the principle of development and access to one or two, but no more than two, residential units.
- 2.6. The application site has had previous outline planning permissions for construction of one dwelling to the rear of Sherwood, but these are no longer extant.

3. Description of the Site and the Surrounding Area

- 3.1. The 1615 square metre application site is located within the settlement boundary of Hinckley. It is located west of Hinckley town centre on the edge of the settlement, within 100 metres of the A5.
- 3.2. The application site comprises extensive hardstanding historically used for the parking of motor vehicles including large motor homes. There are existing brick buildings to the rear of the site along the western boundary comprising a barn building with gable roof and two attached buildings with flat roof forms. An existing detached brick garage building with gable roof is located along the northern side boundary, adjacent the rear boundary of neighbouring Ambien House.
- 3.3. The existing dwelling, Sherwood, is a two-storey brick detached dwelling with gable roof located in the north-east of the application site. Notwithstanding that it has been included within the red line boundary for this application, Sherwood is located on an independent plot and is bound by close-boarded timber fencing to the front and rear.
- 3.4. The application site currently contains four static caravans, located between the rear fence of Sherwood and the brick buildings along the rear boundary of the site. These caravans have not received permission to be on site and are the subject of an enforcement matter.
- 3.5. The existing boundary treatments on the site include tall hedgerow along the southern boundary and close-boarded timber fencing along the northern boundary, and separating areas forming part of Sherwood from the remainder of the application site.
- 3.6. The site is accessed from Nutts Lane. Nutts Lane is an unclassified road of mixed adoption that is subject to a 30mph speed limit. The section of Nutts Lane from which the application site gains access is part of the adopted section of the road.
- 3.7. The surrounding area is varied in character with predominantly residential development to the north, industrial and commercial development to the east, residential and nursery school development to the south between the site and the A5, and The Bungalow caravan park, an open field, and Hinckley railway line to the west.
- 3.8. Immediately to the north of the application site is land to the rear of existing dwellings Doral and Ambien House. This land was historically associated with Doral and has been granted planning permission for the conversion of the former two-storey squash court building to a dwelling, and outline planning permission for a further new dwelling north of the former squash court building. Both of these permissions relate to backland sites which adjoin the application site.

4. Relevant Planning History

4.1 21/00526/REM

- Approval of reserved matters (access, appearance, landscaping, layout and scale) of outline planning permission 20/00329/OUT for one dwelling
- Approval of Reserved Matters
- 20.08.2021

4.2 20/00329/OUT

- Erection of detached bungalow (outline – all matters reserved)
- Outline Planning Permission
- 26.05.2020

4.3 16/00782/OUT

- Erection of one dwelling (outline – access and layout) (resubmission)
- Outline Planning Permission
- 19.10.2016

4.4 15/01162/OUT

- Erection of 5 new dwellings (outline – access and layout only)
- Withdrawn
- 14.12.2015

4.5 13/00797/OUT

- Erection of one new dwelling (outline – access and layout only)
- Outline Planning Permission
- 18.11.2013

4.6 11/00258/OUT

- Demolition of existing garages and erection of 1no dwelling (outline – access and layout only)
- Refused
- 06.06.2011

4.7 07/00712/COU

- Change of use from residential to part residential and part storage of motor homes (maximum 4 vehicles)
- Planning Permission
- 20.09.2007

5. Publicity

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

5.2 No responses have been received.

6. Consultation

6.1 Leicestershire County Council (LCC) Ecology have advised that they have no objection to the scheme subject to the inclusion of a condition requiring accordance with the measures within Section 4 of the Preliminary Roost Assessment.

- 6.2 The Local Highway Authority (LHA) have advised that in their view the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. The LHA have noted that the access exceeds the minimum widths required by Table 13 of the Leicestershire Highway Design Guide (LHDG) and can cater to emergency vehicles. Visibility splays were not demonstrated by the Applicant, but the LHA are satisfied that adequate visibility can be achieved in accordance with Table 6 of the LHDG.

The LHA noted that there have been two Personal Injury Collisions (PICs) within 500m of the site access in either direction within the most recent five-year period. However, no patterns or trends in those PICs were identified and the proposal is therefore not considered to increase the likelihood of further incidents.

The LHA have noted the sustainability of the site in their response and make particular reference to the nearest bus stop, located 650 metres from the site with services to Leicester, as well as the presence of the train station in Hinckley.

The LHA therefore have no objections to the proposal, subject to five planning conditions.

- 6.3 There were no objections to the application from the following consultants:

- Hinckley & Bosworth Borough Council (HBBC)'s Drainage Officer
- HBBC's Environmental Services' Pollution Officer

- 6.4 No further responses have been received.

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)

8. Appraisal

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

- Principle of development
- Housing land supply
- Impact upon the character of the area
- Design and layout
- 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.
- 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.

- 8.8 The development is within the identified settlement boundary of Hinckley and therefore the provision of residential uses in this location 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

- 8.9 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 Local Planning Authority (LPA) is currently reviewing the latest revisions to the NPPF and their implications for the Council's Five-Year Housing Land Supply. A revised position has not yet been published but is expected once monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figures 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.
- 8.13 Subsequent to 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 The proposed scheme is for up to two residential properties meaning that the minimum provision of residential development would be one residential property. Notwithstanding that the Council is unable to deliver a five-year supply of land for housing, the benefits associated with the provision of up to two residential properties within the application site is considered to attract limited weight in the planning balance.

Design and Impact upon the Character of the Area

- 8.15 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.
- 8.16 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 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.
- 8.18 The Good Design Guide further 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. It will be required that backland development demonstrate its density is in keeping with the prevailing character of the surrounding area. Some sites may be able to accommodate this type of development, whereas others will not.
- 8.19 This is an outline application with all matters reserved except for access. Therefore, detailed layout and appearance considerations are not being assessed at this stage. These details will be provided at the Reserved Matters stage. The extent of design consideration to be made at this stage is the appropriateness of the site to accommodate up to two residential properties.
- 8.20 The character of the area surrounding the application site on the western side of Nutts Lane is predominantly that of residential properties of a mix of designs and styles. Within the locality, dwellings are predominantly two storey and sited facing Nutts Lane, with generous setbacks from the highway. The plots north of the application site vary in width but typically have long private rear gardens which share rear boundaries with the paddocks to the west.
- 8.21 The exception to this form is the site directly north of the application site, to the rear of Doral and Ambien House. Both Doral and Ambien House front Nutts Lane consistent with the prevailing character of the locality, however between these

dwelling is a large private driveway serving land to the rear. This land to the rear contains a former two-storey squash court which is currently under conversion to a detached dwelling. Directly north of the converted squash court Outline Planning Consent has been granted for a further dwelling to the rear of Doral, for which a Reserved Matters application is currently under assessment. These dwellings are both located on backland sites.

- 8.22 The application site is a brownfield site located to the rear of two existing dwellings which front Nutts Lane. Though the proposal does not conform to the highway-fronting dwellings most common in the locality, the site is located directly south of two backland developments either under construction or with active permissions. Furthermore, the appropriateness of the site to accommodate backland development has been established through previous permissions which, while determined under previous iterations of the NPPF, were based on policies that continue to be consistent with the most recent iteration.
- 8.23 The erection of up to two dwellings on the application site, excluding the existing plot containing Sherwood, would result in a maximum density of one dwelling per 0.064 hectares. This is a reduction in density as compared to the previous backland permission on the site, which had a density of 0.096 hectares per dwelling, or for the dwelling proposed to the rear of Doral which has a density of 0.08 hectares per dwelling. Notwithstanding this, the proposal still represents low density development that is comparable to, and in excess of, the size of surrounding plots to the east and north-east along Nutts Lane including Sherwood.
- 8.24 The Applicant has provided indicative details in relation to the appearance and landscaping of development. These are not for assessment at this stage and may require additional boundary treatments and landscaping at Reserved Matters stage to make the scheme acceptable. Nonetheless, the indicative drawings are considered to demonstrate that the scheme can be brought forward in a way that respects the character and layout of the surrounding area and complements local character.
- 8.25 It is therefore considered that the principle of the provision of up to two residential units within this site complies with Policy DM10 of the SADMP, subject to the detailed design of the development at Reserved Matters stage.

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 Paragraph 14.2 of the SADMP states that new development should be located and designed in such a way that the amenity of both existing residents and occupiers is fully considered when assessing planning applications.
- 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. For backland sites, this is considered a minimum requirement in demonstrating that a site is appropriate for such development.
- 8.30 This is an outline application with all matters reserved except for access. Therefore, detailed layout, appearance, massing, separation distances or boundary treatment matters are not being assessed at this stage. These details will be provided at the Reserved Matters stage. The extent of design consideration to be made at this stage is the appropriateness of the site to accommodate up to two residential properties without undue impact upon neighbouring properties or future occupiers of the scheme.
- 8.31 The Applicant has provided indicative details in relation to the layout, scale and massing of the development. The indicative layout demonstrates that an acceptable separation distance of at least 37 metres can be achieved between the indicative dwellings and the rear of the dwellings at Sherwood and East View. This distance, in addition to appropriate boundary treatments, would allow for the protection of privacy and amenity for occupiers of the dwellings to the east.
- 8.32 The indicative layout shows the two indicative dwellings matching and in line with the principal elevation of the converted squash court building to the north, which is the nearest backland development on the adjacent site.
- 8.33 The adjacent converted squash court building has two windows on the elevation which faces the application site. These windows were not shown on the original plans for the conversion of the building but cross-referencing with the approved floor plan for the scheme as well as physical inspection on site identifies both as non-habitable bathroom windows.
- 8.34 The indicative layout demonstrates that typical side-to-side separation distances could be achieved between the indicative dwellings and the converted building on the adjoining site. The indicative layout also demonstrates that a development of up to two dwellings would be able to achieve adequate private amenity space for both dwellings, in line with the HBBC Good Design Guide.
- 8.35 It is noted that no objections to the proposal were received from neighbouring properties.
- 8.36 Given the above, it is considered that a scheme for residential development of up to two dwellings, subject to the detailed matters to come forward at Reserved Matters stage, could be designed such to have a suitable relationship with nearby residential development in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.37 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.
- 8.38 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.
- 8.39 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.
- 8.40 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).
- 8.41 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 driveway. Table 6 of the LHDG outlines the minimum visibility distance that must be achieved by visibility splays, which is 43 metres where 85th percentile speeds are measured between 26-30mph.
- 8.42 This outline application reserves all matters excluding access. As such, a detailed assessment is to be undertaken at outline stage of the proposed access, whereas details of the internal layout and parking provision are to be assessed at the Reserved Matters stage.
- 8.43 The application proposes use of the existing access from Nutts Lane. The Local Highway Authority (LHA) have advised that there have been two recorded Personal Injury Collisions (PICs) within 500m of the site access in either direction within the most recent five-year period. Both incidents were rated slight in severity and the LHA have advised that they are satisfied there are no patterns or trends identified that would suggest the proposal would increase the likelihood of further such incidents.
- 8.44 The existing access point is located to the south of the application site. It provides access to the dwelling at Sherwood as well as to the backland area to the rear, which has historically been used for ancillary residential purposes as well as the storage of motor homes. The access is hard surfaced in tarmacadam from the edge of the

highway for a distance between 4-8 metres, and the remainder of the drive has a rubble surface.

- 8.45 The existing access has a width of 5.25 metres closest to Nutts Lane which then reduces to 3.4 metres where it passes the side of the dwelling at Sherwood and the established hedgerow along the southern boundary.
- 8.46 The LHA have noted that the Applicant has not provided drawing demonstrating the achievable visibility splays at the site access. Nonetheless, the LHA have undertaken their own assessment and are satisfied that adequate visibility measured from a 2.4 metre setback distance from the edge of the carriage way can be achieved in accordance with Table 6 of the LHDG.
- 8.47 Though the internal layout of the site is not to be considered at this stage, the LHA have noted the parking standards in Table 28 of the LHDG which seek 2 parking spaces per dwelling with up to 3 bedrooms and 3 parking spaces per dwelling with 3 or more bedrooms. Further, the size of parking spaces should be a minimum of 2.4 metres by 5.5 metres, with 0.5 metres added where bounded by a wall, fence, hedge, line of trees or other similar obstruction on one side and 1 metre added where bounded on both sides.
- 8.48 The Applicant has provided indicative details in relation to the layout and parking areas of the development. The indicative layout incorporates allocated space for off-street parking for two indicative dwellings, both of which are indicated to be 4-bedroom properties. It is considered the indicative layout sufficiently demonstrates the capacity for the site to accommodate sufficient parking space for up to two dwellings.
- 8.49 It is therefore considered that the proposal would not create an unacceptable impact on highway safety or the road network and could, subject to further details provided at Reserved Matters stage, demonstrate an acceptable internal layout including sufficient parking spaces, and therefore demonstrates consistency with Policies DM17 and DM18 of the SADMP, and the requirements of 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 and obligations.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report

11.2 Conditions and Reasons

1. Application for approval of reserved matters shall be made within two years of the date of this permission and the development shall be begun not later than 18 months from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence until details of the layout, scale, appearance, landscaping, and access other than vehicular access (hereafter called the reserved matters) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved reserved matters.

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. Notwithstanding the indicative details shown on the submitted plans the development hereby permitted shall not be carried out other than in complete accordance with the submitted application details received by the Local Planning Authority as follows: Site Location Plan/Block Plan Drg No. PL-01 (submitted: 11.04.2025).

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).

4. The development hereby approved shall be implemented in strict accordance with the measures stated in section 4 of the Preliminary Roost Assessment for bats and Barn Owl Survey (Croft Ecology, Jul 2025).

Reason: To ensure a satisfactory form of development in accordance with Policy DM6 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 Illustrative Site Plan drawing number PL-03 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).

6. The development hereby permitted shall not be occupied until such time as the access drive 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 (2024).

7. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2024).

8. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 43 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2024).

9. 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 gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

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).

10. Any forthcoming Reserved Matters application shall include details for the adequate provision for waste and recycling storage of containers and collection across the site. 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 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 Container 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.

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. This permission does not grant or imply consent for the details shown on the plans accompanying the application which are for illustrative purposes only.
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. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
5. Any proposed 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).
6. 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).

It would be advisable to include an area near the roadside for the safe placement of the various containers on collection day. This will then keep the access clear to allow vehicular access. It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.