

Delegated Report

Planning Ref: 23/00616/FUL
Applicant: Mr and Mrs Hayward
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Lea Grange Farm 11 Twycross Lane Orton On The Hill

Proposal: Alteration and conversion of existing agricultural building to dwelling house

1. Recommendations

- 1.1. **Grant planning permission** subject to:
- Planning conditions outlined at the end of this report.

2. Planning application description

- 2.1. This planning application seeks full planning permission for the alteration and conversion of an existing agricultural building into a five-bedroom dwellinghouse (Use Class C3) at Lea Grange Farm, 11 Twycross Lane, Orton on the Hill.
- 2.2. The development externally measures 22.4m in width x 14.5m in depth, with a total footprint of 222.4sqm. The proposal utilises a pitched roof that has a ridge height of 6.6m, and an eaves height of 5.8m. The development is constructed with timber cladding, box profile roofing sheets. To facilitate this conversion, some of the lean-to structure is demolished.
- 2.3. This is a resubmission of the same proposal within the approved (and extant at the time the current application was submitted) planning permission 20/00537/FUL.

3. Description of the site and surrounding area

- 3.1. The building subject to this conversion is a steel portal framed agricultural building with an attached lean-to structure that was originally a barn for the storage of grain and straw. The barn externally measures 23m in width x 7.6m depth. The property has a pitched roof that has a ridge height of 6.6m and an eaves height of 5.8m. This excludes the additional 23m wide and 7.6m deep lean-to structure, which has a ridge height of 5.2m and an eaves height of 3.9m. The barn is constructed with concrete panel walls, box profile cladding and roller shutter doors. The structure remains open on its north-eastern side elevation.
- 3.2. The building forms part of a larger agricultural unit, and it is located on the south side of the site. There are a cluster of agricultural buildings within site of various styles and sizes, some of which have been converted into a commercial use (Use Class B8), and there is a farmhouse at the entrance to this group of structures.
- 3.3. The site is accessed via Twycross Lane, which is an adopted but unclassified road that does not benefit from streetlights or footways, and it is subject to the National Speed Limit. Lea Grange Farm is separated from Twycross Lane by a long private driveway, which runs between several agricultural fields. As a result of the distance, topography, and tree planting, the buildings within the application site have limited visibility from the public highway. However, the site is relatively exposed to distant views of the open countryside to the rear, when looking to the south and west because the land falls away in these directions and nearby screening is limited. Due to the agrarian character of the application site and the buildings within, the site makes a positive contribution to the local rural area.

- 3.4. The application site outside of any identified settlement boundary in the designated countryside. The rural village Twycross is approximately 1.5km to the southeast of the application site, and the rural hamlet, Orton on the Hill, is around 2.5km to the southwest.

4. Relevant planning history

4.1 22/00602/DISCON

- Application to discharge Condition 5 (Land Contamination) attached to planning permission 20/00537/FUL
- Discharged
- 01.08.2022

As a result of this application, the Council's Environmental Services' Pollution Officer confirmed that the site was considered suitable for the proposed change of use and that no future users of the land or neighbouring land are at risk from potential land contamination. Therefore, no further investigations or remediation is required.

4.2 20/00537/FUL

- Conversion of an existing building to a residential unit
- Permitted
- 10.08.2022

4.3 19/00033/NONDET

- Demolition of agricultural building and erection of one detached dwelling (outline – access and layout only)
- Appeal Dismissed
- 02.01.2020

4.4 19/00772/OUT

- Demolition of agricultural building and erection of one detached dwelling (outline – access and layout only)
- Not Determined
- 12.09.2019

4.5 18/01009/FUL

- Change of use of agricultural building to storage/distribution (Use Class B8)
- Permitted
- 04.12.2018

4.6 18/00062/CRGDO

- Notification for proposed change of use from agricultural building to storage/distribution (Class B8)
- Prior Approval Not Required
- 13.03.2018

4.7 17/00842/CQGDO

- Prior approval for change of use of an agricultural building to a dwelling (C3) and associated building operations
- Prior Approval Given
- 24.10.2017

- 4.8 **15/00930/CRGDO**
- Notification for proposed change of agricultural building to storage/distribution (B8)
 - Prior Approval Not Required
 - 21.10.2015
- 4.9 **06/00002/COU**
- Conversion of agricultural building to create storage units
 - Permitted
 - 25.05.2006
- 4.10 **95/00337/GDO**
- Agricultural building
 - General Development Order
 - 07.06.1995
- 5. Publicity**
- 5.1 A site notice was also posted within the vicinity of the site.
- 5.2 No responses have been received.
- 6. Consultation**
- 6.1 There have been no objections from the following consultants:
- Hinckley & Bosworth Borough Council (HBBC)'s Drainage Officer
 - HBBC's Environmental Services' Pollution Officer
 - HBBC's Waste Management Officer
- 6.2 The Local Highway Authority have not commented on the application and referred to standing advice.
- 6.3 Whilst they did not respond to the current planning application, Leicestershire County Council's Ecology Department confirmed within their response to the previous application, 20/00537/FUL, that, as a modern steel framed agricultural building, this development is unlikely to support roosting bats and therefore not survey is required in accordance with the Leicestershire and Rutland Bat Protocol.
- 6.4 No further responses have been received.
- 7. Policy**
- 7.1 Core Strategy (2009)
- N/A.
- 7.2 Site Allocations and Development Management Policies (SADMP) DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM15: Redundant Rural Buildings
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3 National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4 Other Relevant Guidance

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2022)
- 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
- Planning balance

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, and that the NPPF is a material planning consideration in planning decisions.

8.3. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the adopted SADMP set out a presumption in favour of sustainable development, and state that development proposals that accord with the Development Plan should be approved unless other material considerations indicate otherwise. Paragraph 12 of the NPPF states 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. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.

8.4. The current Development Plan consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016). The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.

8.5. Both the adopted Core Strategy and the SADMP are over 5 years old, and Paragraph 33 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. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.

8.6. Outside the defined settlement boundaries, the countryside is not regarded as a sustainable location for new development. Section 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 174(b) specifically highlights that this should be achieved

by, "Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services."

- 8.7 This is supported by Policy DM4 of the SADMP, which states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Policy DM4 of the SADMP only considers residential development in the countryside sustainable where:
- (a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - (e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation".
- 8.8 Importantly, Policy DM4 also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in the report.
- 8.9 The application is considered to be in an area of poor transport sustainability, and as a result, the future occupiers of the development are likely to be dependent on the private car for day-to-day needs. This location for residential development is therefore contrary to, and in conflict with Policy DM17 of the SADMP. The high dependency on vehicular travel is also considered to cause harm to the environment, which is contrary to Policy DM4 of the SADMP.
- 8.10 It is noted that an application, 19/00772/OUT, was dismissed at appeal, which proposed the demolition of the agricultural building relating to the current application to construct a dwellinghouse within the site. The appeal was dismissed due to its significant harm to the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.11 In spite of this, the development represents the change of use of an existing building, which is considered acceptable in principle under Policy DM4 of the SADMP. The key fact though is that the agricultural building received planning permission for a conversion into a residential unit via planning application 20/00537/FUL, and prior approval for its conversion to a residential dwelling in 2017 via 17/00842/CQDO. These are key material considerations that are considered to have significant weight within the planning balance of this application.
- 8.12 In accordance with Paragraph 13.6 of the SADMP, all proposals which relate to the re-use of redundant buildings in the countryside must have specific regard to Policy DM15 of the SADMP.
- 8.13 Within Policy DM15, Paragraph 14.56 of the SADMP highlights that a significant number of agricultural and other buildings already exist outside of the identified settlement boundaries within the Borough. Further development in the rural area and outside of defined settlement boundaries is highly restricted as prescribed through the provisions of Policy DM4 of the SADMP. Therefore, the re-use or redevelopment of rural buildings can make the best possible use of existing

buildings and reduce the demand for new buildings, which protects agricultural land and the wider countryside.

- 8.14 In accordance with Paragraph 14.59 of the SADMP, proposals will be judged on their own merits, with consideration firstly given to their impact on the intrinsic value, beauty and open character of the countryside, the nature of the proposed use and the level of activity related to the proposal.
- 8.15 Proposed development for the re-use and/or adaption of redundant or disused rural buildings in the countryside are supported by Policy DM15 of the SADMP when the Applicant can demonstrate that:
- (a) The building is no longer viable in its current use.
 - (b) The building is in a structurally sound condition and is capable of conversion without significant rebuild or alteration.
 - (c) Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and it situated within the original curtilage.
 - (d) The proposed development accords with Policy DM10, DM11 and DM12.
- 8.16 Whilst the Applicant has not confirmed why the building is no longer viable in its current use within this application, the principle of converting the structure into a residential use has already been established by a prior approval notification and previous planning permission.
- 8.17 The Applicant has provided a structural survey report from 2017 that states the structure is considered suitable for conversion to a domestic dwelling. The Applicant has also submitted a letter from 2019 from their Structural Surveyor stating that the building is still suitable for conversion.
- 8.18 The development is built within the existing footprint of the building, and no extensions protrude beyond this footprint, which is considered to be in accordance with Policy DM15(c) of the SADMP.
- 8.19 Therefore, the development is 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.10 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.
- 8.11 Using the standard method as outlined by the Ministry of Housing, Communities & Local Government (MHCLG), Hinckley and Bosworth Borough Council are able to demonstrate 4.89 years of deliverable housing on 01 April 2022. In addition, both

the adopted Core Strategy and the SADMP are over 5 years old, and Paragraph 33 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. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.

- 8.12 Given the above and the change in the housing figures required for the Borough, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered.
- 8.13 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 clear 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.
- 8.14 Section 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.
- 8.15 Paragraph 78 of the NPPF states that planning policies should be responsive to local circumstances and support housing developments that reflect local needs, and Paragraph 69 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. Paragraph 79 of the NPPF states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
- 8.16 The development is for one singular residential property within a rural area, 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.
- 8.17 Whilst the provision of one dwelling within this application site is unlikely to be a significant benefit to the housing land supply within the Borough, given the Council's failure to deliver a five-year supply of land for housing, it is considered that moderate weight should be given to the provision of the proposed dwelling.

Design and Impact upon the Character of the Area

- 8.18 Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.19 Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where:
- i.) It does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside; and
 - ii.) It does not undermine the physical and perceived separation and open character between settlements; and
 - iii.) It does not create or exacerbate ribbon development.
 - iv.) If within a Green Wedge, it protects its role and function in line with Core Strategy Policies 6 and 9; and

v.) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21.

- 8.20 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.
- 8.21 The development is concentrated within the existing size, scale, and footprint of the agricultural building. Therefore, the scheme is considered to respect the character of the countryside and the surrounding area. The scheme also utilises materials that are similar to those of the existing property, but their exact appearance will be secured via planning condition to protect the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.22 Although the development includes two cantilevered balconies on its rear elevation, which are considered to be incongruous features to an agricultural building, it is considered that these features add to the modern character of this conversion. It is also considered that the use of glazing does not obstruct the appreciation of the character of the building from views to the south.
- 8.23 In addition, the proposal involves the change of use of a small amount of agricultural land to the front and rear of the building to form its residential curtilage along with space for three off-street vehicle parking spaces. To support this, a landscaping scheme within the Proposed Block Plan has been submitted that demonstrates how the transition between this residential land and the surrounding agricultural land retains the rural character of the area.
- 8.24 By virtue of the size, scale, design, and the proposed use of matching external materials, the scale, the development is considered to retain the agricultural character of the building and the surrounding site in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

- 8.25 Paragraph 130(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.26 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.
- 8.27 The Good Design Guide SPD 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.
- 8.28 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. 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.”

- 8.29 There are no neighbouring residential dwellings in proximity to Lea Grange Farm. The existing residential farmhouse is over 72m southeast of the development, and therefore the scheme is not considered to result in any harm to the residential amenity of neighbouring dwellings.
- 8.30 Whilst there is a building within the site that is a Use Class B8 commercial unit, the property is some distance away from this proposal, and there are other buildings between them. In addition, the Council’s Pollution Officer has been consulted on this application and has raised no objection to the change of use to agricultural building to a residential dwelling, nor any concerns that the proposal may result in harm to the future occupants of the development. As such, the scheme is not considered to result in any significant adverse harm to the future occupants of the development.
- 8.31 To comply with the Good Design Guide, two-bedroom houses must also provide a minimum of 80sqm of private outdoor amenity space with a minimum length of 7m.
- 8.32 The development provides a terraced area and residential garden space that exceeds the requirements of the Good Design Guide.
- 8.33 By virtue of these factors and the fact that there have been no objections to the scheme, the proposal does not result in any adverse impacts to neighbouring residential amenity or the amenity of the future occupants of the scheme in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.34 Paragraph 110 of the NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF outlines that 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 would be severe.
- 8.35 Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. 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)).
- 8.36 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.37 The development utilises an existing access via Orton Lane to the south. Given the existing agricultural use of the site, the provision of one residential dwelling, which has already received planning permission, is unlikely to result in a significant intensification of the use of the access. Therefore, it is considered to unreasonable to request any amendments to the existing site access in these site-specific circumstances.

- 8.38 In accordance with Paragraph 3.151 of Part 3 of the Leicestershire Highway Design (LHDG), the application creates the provision of three off-street parking space for the five-bedroom dwellinghouse.
- 8.39 The development provides three off-street vehicle parking spaces, which are compliant with the dimension requirements of Paragraph 3.165 of Part 3 of the LHDG.
- 8.40 Given the above, it is considered that there is adequate off-street parking for the scheme and the proposal does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

Planning Balance

- 8.41 The Council cannot demonstrate a 5-year housing land supply and the housing policies in the adopted Core Strategy and the housing policies of the adopted SADMP are considered to be out of date as they focused on delivery of a lower housing requirement than is now required. It is necessary therefore to consider that the 'tilted' balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.42 The principle of the development has been established via 17/00842/CQGDO and 20/00537/FUL. Given the design, size, and scale of the proposal, the development is not considered to preserve the intrinsic value, beauty, open character, and landscape character of the countryside. In addition, the scheme is not considered to result in any significant harm to neighbouring residential amenity or the future occupants of the scheme, and the development is not likely to result in any highway safety or road network issues.
- 8.43 It is also acknowledged that there are potential social benefits from the scheme such as providing housing for a range of occupants including families, and economic benefits associated with the construction of the dwelling and the future occupant's opportunity to act as new customers and employees for local businesses and services. Nevertheless, these benefits when associated with one dwelling are modest and are not considered to maintain or enhance the local community. In addition, there are no planning benefits such as affordable housing or essential infrastructure provision as identified within Paragraph 12.13 of the SADMP.
- 8.44 By virtue of all these factors, it is considered that the benefits of the development significantly and demonstrably outweigh any potential harm caused by the conversion of this agricultural building into a residential dwelling. As such, the development is considered to be acceptable, and in accordance with Policies DM4, DM6, DM7, DM10, and DM18 of the SADMP, the NPPF, and the Good Design Guide.

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 The proposed development is considered to be compliant with the relevant national and local policy as it:

- Is an appropriate scale and design.
- Does not have an adverse impact upon the character and appearance of the area.
- Provides over 80sqm of rear amenity space.
- Does not have a significant adverse impact upon the amenity of neighbours.
- Does not have a significant adverse impact upon highway safety.
- Provides sufficient vehicle parking spaces for off-street parking.

10.2 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 outlined at the end of this report

11.2 Conditions and Reasons

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

- Block Plan (submitted: 22.06.2023)
- Existing Elevations and Floor Plans (submitted: 22.06.2023)
- Proposed First Floor Plan (submitted: 22.06.2023)

- Proposed Ground Floor Plan (submitted: 22.06.2023)
- Site Location Plan (submitted: 22.06.2023)
- Site Survey (submitted: 22.06.2023)
- Proposed Front and Side Elevations (submitted: 22.06.2023)
- Proposed Rear and Side Elevations (submitted: 22.06.2023)

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

3. No development above floor plate level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwelling hereby permitted have been deposited with, and approved in writing by, the Local Planning Authority, and 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 Policies DM4, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A, AA, B, C, D, and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

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

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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. The onus is upon the owner and/or developer of the building to ensure that the scheme proposed is practicable and that adequate safeguards are taken before and during building works to provide adequate protection to the existing building. If a building collapses, whatever the cause or in whatever circumstances, after planning permission has been granted for its conversion to an alternative use, the Local Planning Authority will regard the planning permission granted as not capable of being implemented and consequently null and void.
3. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance, or alternatively assembled from modular surface water storage/soakaway cell

systems, incorporating silt traps. Design and construction of all types of soakaways will be subject to the approval of the Building Control Surveyor.

4. Any access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
5. Hinckley & Bosworth Borough Council's recycling and refuse collection services are from the boundary to the adopted highway. It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.