

Public Document Pack

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 07 August 2017



**Hinckley & Bosworth
Borough Council**

A Borough to be proud of

To: Members of the Planning Committee

Mr R Ward (Chairman)	Mrs J Kirby
Mr BE Sutton (Vice-Chairman)	Mr C Ladkin
Mr PS Bessant	Mr RB Roberts
Mr CW Boothby	Mrs H Smith
Mrs MA Cook	Mrs MJ Surtees
Mrs GAW Cope	Miss DM Taylor
Mr WJ Crooks	Ms BM Witherford
Mrs L Hodgkins	Ms AV Wright
Mr E Hollick	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

There will be a meeting of the **PLANNING COMMITTEE** in the De Montfort Suite - Hub on **TUESDAY, 15 AUGUST 2017** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Officer

PLANNING COMMITTEE - 15 AUGUST 2017

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS

2. MINUTES (Pages 1 - 6)

To confirm the minutes of the meeting held on 20 June 2017.

3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.

4. DECLARATIONS OF INTEREST

To receive verbally from Members any disclosures which they are required to make in accordance with the Council's Code of Conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**

5. QUESTIONS

To hear any questions in accordance with Council Procedure Rule 10.

6. DECISIONS DELEGATED AT PREVIOUS MEETING

The Deputy Chief Executive (Community Direction) to report progress on any decisions delegated at the previous meeting.

7. 17/00521/HOU - 7 SHAW WOOD CLOSE, GROBY (Pages 7 - 12)

Application for two storey rear extension and conservatory.

8. 17/00484/FUL - LABURNUM COTTAGE, HIGH STREET, STOKE GOLDING (Pages 13 - 34)

Application for demolition of garage and erection of 5 dwellings with access and provision of community orchard.

9. 16/01058/CONDIT - LAND OFF HINCKLEY ROAD, STOKE GOLDING (Pages 35 - 46)

Application for variation of Condition 1 of planning permission 16/00212/CONDIT to amend siting of plots 49 - 71 with associated substitution of house types.

10. 17/00130/FUL - LAND OFF HINCKLEY ROAD, STOKE GOLDING (Pages 47 - 56)

Application for erection of one new dwelling and detached double garage

11. APPEALS PROGRESS (Pages 57 - 60)

Report of the Deputy Chief Executive (Community Direction) attached.

12. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

20 JUNE 2017 AT 6.30 PM

PRESENT: Mr R Ward - Chairman
Mr BE Sutton – Vice-Chairman
Mr DC Bill MBE (for Mrs L Hodgkins), Mr PS Bessant, Mr CW Boothby, Mr SL Bray (for Ms BM Witherford), Mr MB Cartwright (for Mr E Hollick), Mrs MA Cook, Mrs GAW Cope, Mr WJ Crooks, Mrs J Kirby, Mr RB Roberts, Mrs H Smith, Mrs MJ Surtees and Miss DM Taylor

In accordance with Council Procedure Rule 4.4 Councillors Mr DS Cope and Mr SL Rooney were also in attendance.

Officers in attendance: Rebecca Owen, Michael Rice, Nic Thomas and Richard West

30 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Hodgkins, Hollick, Ladkin and Witherford, with the following substitutions authorised in accordance with council procedure rules:

Councillor Bill for Councillor Hodgkins;
Councillor Bray for Councillor Witherford;
Councillor Cartwright for Councillor Hollick.

31 MINUTES

It was moved by Councillor Sutton, seconded by Councillor Crooks and

RESOLVED – the minutes of the meeting held on 25 April 2017 be confirmed and signed by the chairman.

32 DECLARATIONS OF INTEREST

Councillors Bill, Bray and Crooks declared a non-pecuniary interest in application 17/00278/DEEM as members of Leicestershire County Council (the applicant).

Councillor Boothby wished it to be recorded that although he had submitted a statement in relation to application 16/01019/CLUE, he had not formed a view in relation to the application and had come to the meeting with an open mind.

Councillor Crooks declared a personal interest which might lead to bias in application 16/01019/CLUE as the applicant was a close associate. He stated he would leave the meeting during consideration of the application.

Councillor Mrs Cope declared a personal interest in application 17/00278/DEEM as she lived near to the site. Councillor Mr Cope, who was in attendance as ward councillor, also declared the same interest.

33 DECISIONS DELEGATED AT PREVIOUS MEETING

It was reported that all decisions delegated at the previous meeting had been issued.

34 17/00271/FUL - BEECHWOOD FARM, ASHBY ROAD, STAPLETON

Application for widened vehicular access and new driveway.

It was moved by Councillor Bray and seconded by Councillor Sutton that the application be approved.

Councillor Boothby felt that the proposal was dangerous and moved that it be refused. In the absence of a seconder, the motion fell.

It was subsequently

RESOLVED –

- (i) Permission be granted subject to the conditions contained in the officer's report;
- (ii) The Head of Planning & Development be granted delegated powers to grant planning permission subject to no further letters of objection raising new and significant material planning objections being received prior to the expiry of the public consultation period ending on 28 June 2017.

35 17/00278/DEEM - MILLFIELD DAY CENTRE, FREDERICK AVENUE, HINCKLEY

Application for residential development of up to 23 dwellings (outline – access only).

Whilst generally in support of the application, concern was expressed that there was no contribution to health recommended as part of the S106 agreement. In response it was explained that this was because the health authority had not responded to the consultation with a request for a contribution. Councillor Cartwright, seconded by Councillor Sutton, moved that the decision to grant planning permission be delegated to the Head of Planning and Development following discussion with the health authority on requirement for a contribution to health. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – permission be granted subject to:

- (i) The conditions contained in the officer's report;
- (ii) Prior completion of a S106 agreement to secure the following obligations:
 - 20% affordable housing units subject to a reduction for vacant building credit
 - Public play and open space facilities contribution of £1,427.74 per unit with a 25% reduction for each on bedroom unit
 - Primary school sector education facilities contribution of £66,786.54
 - A contribution towards healthcare services if agreed by the Head of Planning and Development following discussions with the relevant health authority;

With the Head of Planning and Development being granted delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

36 16/01019/CLUE - THORNTON STABLES, RESERVOIR ROAD, THORNTON

Application for certificate of (existing) lawful development for the use of a mobile home/caravan as permanent living accommodation.

Having declared a personal interest which might lead to bias on this item, Councillor Crooks left the meeting at 7.18pm.

Notwithstanding the officer's recommendation that the certificate of (existing) lawful development be refused, members felt that there was sufficient evidence that the applicant had been living in the mobile home on the site for over ten years. It was moved by Councillor Boothby and seconded by Councillor Bray, that the certificate of lawful development be approved. Upon being put to the vote the motion was CARRIED and it was

RESOLVED – a lawful development certificate for an existing use of land at Thornton Stables, Thornton for use of a mobile home / caravan for residential purposes be granted.

Councillor Crooks returned to the meeting at 7.43pm.

37 17/00295/HOU - JASMINE, RATBY LANE, MARKFIELD

Application for wood store to the rear of garage and reduction in the size of garage.

In presenting the application, the Head of Planning and Development informed members of an inaccuracy in paragraphs 2.1 and 8.7 of the report which referred to the measurements for the garages and wood store. The correct measurements were reported and it was noted that the application proposed a small increase in floor area rather than a reduction.

It was moved by Councillor Crooks, seconded by Councillor Bray and

RESOLVED – permission be granted subject to the conditions contained in the officer's report, with the final detail of the conditions delegated to the Head of Planning and Development.

38 17/00340/FUL - LAND NORTH OF DORMER HOUSE, TWYCROSS ROAD, SHEEPY MAGNA

Application for construction of three detached dwellings.

In introducing the report, it was highlighted that a recommendation to delegate the details of the planning conditions to the Head of Planning and Development had been omitted. It was moved by Councillor Sutton and seconded by Councillor Crooks that the officer's recommendation, along with the additional recommendation be approved. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – permission be granted subject to:

- (i) The prior completion of a S106 agreement to secure a contribution to green space and play provision and maintenance of £7,388.99;
- (ii) The conditions contained in the officer's report, with the final detail of the conditions delegated to the Head of Planning and Development.

39 17/00049/FUL - LAND OPPOSITE THORNTON NURSERIES, RESERVOIR ROAD, THORNTON

Application for creation of an agricultural access.

In introducing the report, it was highlighted that paragraphs 1.2 and 10.2 which referred to the terms of the S106 agreement being delegated to the Head of Planning and Development should not refer to a S106 agreement but should read that the final details of the planning conditions be delegated to the Head of Planning and Development.

It was moved by Councillor Boothby that the application be refused on grounds of highway and public safety. In the absence of a seconder, the motion was not put.

It was moved by Councillor Sutton, seconded by Councillor Taylor and

RESOLVED – permission be granted subject to the conditions contained in the officer's report, with the final detail of the conditions delegated to the Head of Planning and Development.

40 APPEALS PROGRESS

In considering the report, members highlighted that since the report had been dispatched, additional appeal decisions had been received that weren't reflected within the report.

A member asked whether it would be possible for ward councillors to be informed of an appeal decision as soon as notification was received. In response it was explained that appeals were often withdrawn before being assigned a start date so never became appeals, but officers agreed that in sensitive cases the ward councillor could be informed sooner.

RESOLVED – the report be noted.

41 ENFORCEMENT UPDATE

Members received an update on enforcement cases. Concern was expressed about costs accrued clearing land following illegal incursions and whether this could be claimed back.

A member thanked officers for their work in relation to two cases in Groby. Another member asked for an update on the Good Friday site. Officers were also asked to assist in relocating a business that needed to leave their current premises (paragraph 3.6 of the officer's report refers) and asked that the case in relation to Trinity Vicarage Road be prioritised (paragraph 3.7 of the report refers).

RESOLVED – the report be noted.

42 MAJOR PROJECTS UPDATE

It was moved by Councillor Crooks, seconded by Councillor Taylor and

RESOLVED – the report be noted.

(The Meeting closed at 8.15 pm)

CHAIRMAN

This page is intentionally left blank

Planning Committee 15 August 2017
Report of the Head of Planning and Development

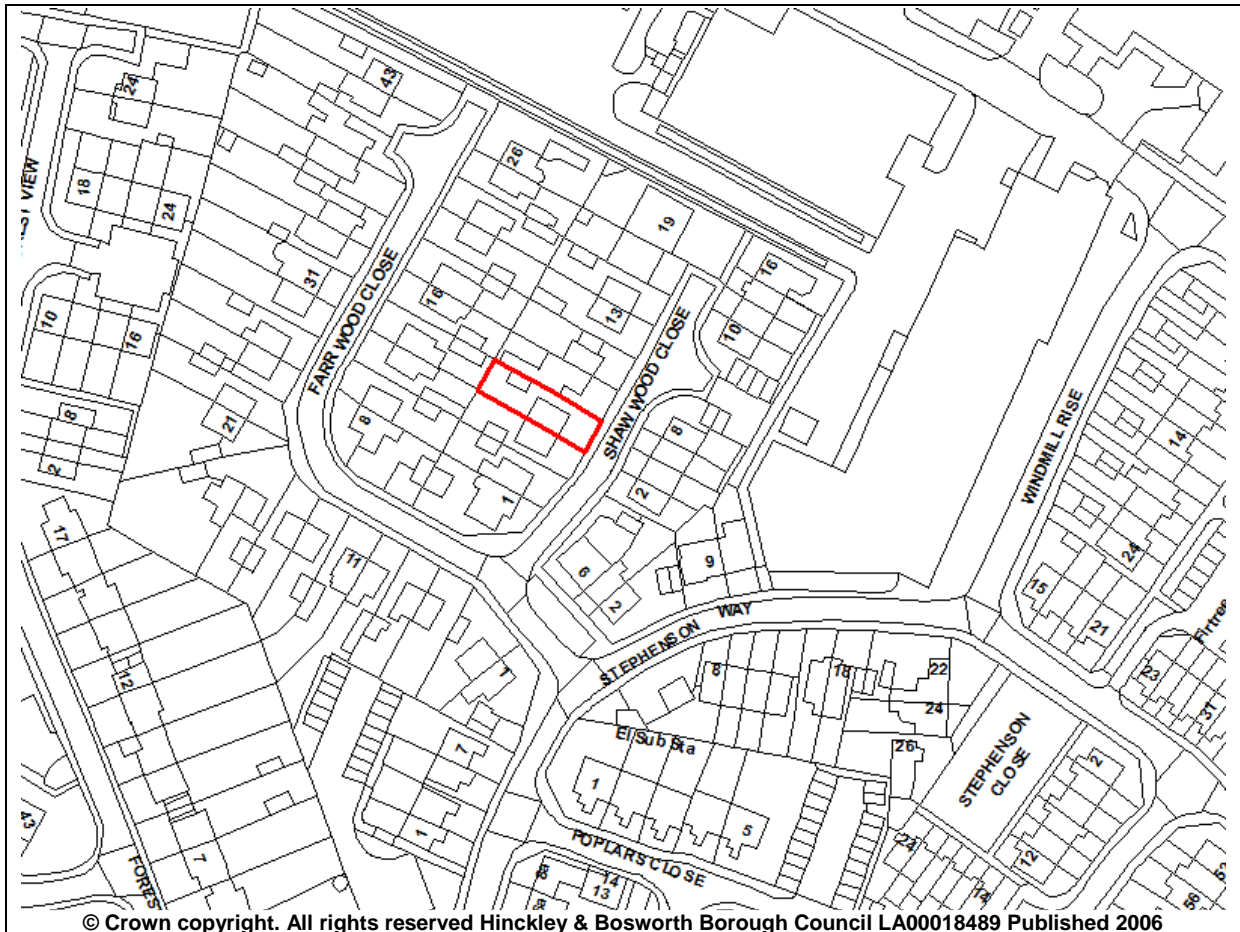
Planning Ref: 17/00521/HOU
Applicant: Mr Edward Hollick
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 7 Shaw Wood Close Groby

Proposal: Two storey rear extension and conservatory



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

1.2. That the Head of Planning and Development be given powers to determine the final detail of planning conditions.

2. Planning Application Description

2.1. This application seeks planning permission for the erection of a two storey rear extension and a conservatory extending beyond the two storey extension.

2.2. Following concerns raised by the case officer amended plans were submitted reducing the depth of the proposed two storey extension.

3. Description of the Site and Surrounding Area

- 3.1. The application site is located within the settlement boundary of Groby. The immediate area is characterised by residential development with commercial development further to the north and east. The residential development consists of primarily two storey semi-detached and terraced houses. The semi-detached dwellings were originally of a uniform design with detached garages set to the side and rear of the dwellings and a driveway to the side of the properties. Several of the surrounding properties have single storey extensions and two dwellings have had two storey extensions. The topography of the area slopes significantly from the northwest down to the south east.
- 3.2. The application site comprises a semi-detached house with a detached garage to the side and rear of the property. There is a driveway providing car parking along the side of the property and additional hard landscaping, used for car parking, on the frontage. The dwelling has a garden to the rear where the land slopes significantly up to the dwelling to the rear. The boundary treatments adjoining neighbouring properties comprise close boarded fencing. There is a large cypress tree at the rear of the garden.

4. Relevant Planning History

None relevant

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One letter of objection has been received, the comments are summarised below:
- 1) Overshadowing and loss of light
 - 2) Overbearing mass of brick wall
 - 3) Loss of amenity to neighbours
 - 4) Out of keeping with the design of the house
 - 5) Over development of the plot
 - 6) Could set a precedent for development of other houses in the area
- 5.3. Following the submission of amended plans a re-consultation was undertaken and the above concerns were re-iterated in further representations.

6. Consultation

- 6.1. None received

7. Policy

- 7.1. Core Strategy (2009)
- Policy 7: Key Rural Centres
 - Policy 8: Key Rural Centres Relating to Leicester
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2012)
 - Planning Practice Guidance (PPG)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon residential amenity
- Car parking provision
- Other matters

Design and impact upon the character of the area

- 8.2. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3. The area is characterised by primarily semi-detached and terraced style dwellings of an original uniform design. Several of the dwellings in the area have had single storey extensions and there are two examples of two storey side extensions in the area. Several of the dwellings have demolished the original detached garages. The original uniform character of the dwellings has been complemented by extensions providing some variance in the design.
- 8.4. This application seeks planning permission for the erection of a two storey rear extension and conservatory. The proposed two storey extension would project 2.5m beyond the existing rear elevation and would have a hipped roof with an eaves height to match the existing dwelling and roof ridge lower than the main dwelling. The proposed extension would be subservient to the main dwelling and due to the siting to the rear, and separation distance between the dwellings, would be largely screened from view from public vantage points. Due to existing extensions to dwellings in the surrounding area, the proposed extension would complement the variance in design of the original dwellings. It is considered that a two storey rear extension would not have an adverse impact on the visual appearance and character of the area. A conservatory is proposed to project to the rear, beyond the two storey extension. Conservatories are a common feature and characteristic of properties in the surrounding area.
- 8.5. The proposed development is likely to result in the loss of the existing cypress tree at the bottom of the garden due to the excavation works required to facilitate the ground levels required for the extensions. Cypress trees are not a native species and the existing tree is therefore of little amenity value. The loss of the cypress tree would not adversely impact on the character of the area.
- 8.6. It is considered that the proposed development would complement the existing character and appearance of the surrounding built form and would be in accordance with Policy DM10 of the SADMP.

8.7. Impact upon residential amenity

- 8.8. Policy DM10 of the SADMP seeks to ensure that development proposals do not harm the amenity of neighbouring residential properties. The application site adjoins nos. 5 & 9 Shaw Wood Close and no. 14 Farr Wood Close.
- 8.9. No. 5 Shaw Wood Close adjoins the application site to the south west. No. 5 has bi fold doors adjacent to the common boundary serving a dining room and a window above at first floor level serving a bedroom. Initially the development proposed a 4m two storey extension which would have had a significantly adverse overbearing impact on the windows serving habitable rooms and the private rear amenity space. Following concerns raised by the case officer the internal layout of the extension and existing first floor was revised to allow the extension to be reduced in depth to 2.5m. It is good practice to use a 45 degree line drawn from the central point of a

habitable room window to determine whether an extension may have an overbearing impact. The applicant has drawn a 45 degree line which is not interrupted by the proposed two storey extension and therefore it is indicated that the extension is unlikely to have an overbearing impact. Due to the limited depth of the extension and 1m inset from the boundary, it is considered that the proposed extension would not have an overbearing impact on the rear windows serving habitable rooms or the private amenity space. Due to the orientation of the dwelling with the proposed extension to the north, it is considered there would not be an overshadowing or loss of light impact on no. 5. Although the conservatory would project further into the rear garden, the gardens of the two dwellings slope up to the rear with the boundary fencing being 2m high above the ground level. Earth would be excavated and the proposed conservatory would be built into the slope and therefore would be largely screened from view by the existing boundary treatments which rise in height with the sloping ground level. A retaining wall would be required due to the excavation works but this would be dealt with through building regulations. Whilst it is evident from the plans that the ground levels of the proposed extension would match the existing, the surrounding ground levels are not confirmed. It is considered reasonable and necessary to secure the existing and proposed ground and floor levels through the imposition of a planning condition.

- 8.10. No. 9 Shaw Wood Close is located adjacent to the application site to the north east. The properties are separated by the two driveways serving the dwellings. Having regard to the scale of the proposed two storey extension and the separation distance provided by the driveways, it is considered that the proposed extension would not have an adverse overbearing impact on the rear facing windows or private rear amenity space of the dwelling. Due to the orientation of the properties, the proposed two storey extension would result in some overshadowing and loss of light of the area immediately to the rear of the adjacent dwelling in the late afternoon/early evening. However, the amount of the overshadowing and loss of light would not be to an extent that would have a significant adverse impact of the amenity of the neighbouring occupiers.
- 8.11. The proposed extensions would project towards no. 14 Farr Wood Close. The first floor rear facing windows would be located 22.5m from the main rear elevation of no. 14 to the rear. Generally, separation distances of 23m between intervisible windows of dwellings are sought. In this instance, the separation distance would measure 22.5m. However, due to the difference in floor levels between the two properties, the windows are not directly intervisible and therefore it is considered that the proposed extension would not lead to a loss of privacy that would have a significant adverse impact on the occupiers of no. 14 nor the occupiers of no. 7. The first floor windows would be 10m from the rear boundary of the application site. It is considered that the increased proximity of the first floor window to the boundary would not have an overlooking impact on the private rear amenity space of no. 14 due to the existing level of overlooking from surrounding properties.
- 8.12. No. 7 is currently served by approximately 80 sq m of private rear amenity space. Although the proposed extension would be constructed on the rear amenity space it is proposed to demolish the existing garage to facilitate the excavation work and provide additional amenity space to compensate for the loss. The occupiers of the dwelling would be served by approximately 72.5 sq m of amenity space following the development which is considered sufficient for a two bedroom dwelling.
- 8.13. It is considered that the proposed development would not have a significant adverse impact on neighbouring amenity and would retain sufficient amenity space for the occupiers of the dwelling on the application site. The proposed development is considered to be in accordance with Policy DM10 of the SADMP.

Car parking provision

- 8.14. Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.
- 8.15. The proposed development would increase the floorspace of the dwelling but the number of bedrooms would remain as existing. Although the existing garage is to be demolished, sufficient car parking on the driveway and on the frontage would be retained to serve the occupiers of the dwelling.
- 8.16. The proposed development would be in accordance with Policy DM18 of the SADMP.

Other matters

- 8.17. Concern has been raised that the proposed two storey rear extension would set a precedent for allowing two storey extensions on properties in the surrounding area. Although acceptable in this instance which has been determined based on the context of the site, differing sites will be subject to individual circumstances and site contexts. Each application is determined on its individual merits and therefore approval of this application would not set a precedent.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. By virtue of the layout, scale, design of the proposed extensions, topography of the area and existing boundary treatments, it is considered that the development would complement the existing character and appearance of the area and would not give rise to harmful impacts to the amenity of the occupiers of neighbouring properties. The development would retain sufficient car parking provision and private amenity space to serve the occupiers. The development is in accordance with Policies DM1 and DM10 of the SADMP.

11. Recommendation

- 11.1. **Grant planning permission** subject to:
- Planning conditions outlined at the end of this report.
- 11.2. That the Head of Planning and Development be given powers to determine the final detail of planning conditions.

11.3. **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 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, details and materials:

- 3934/3 - Proposed Plans and Elevations (received on 19 June 2017)

Reason: To ensure a satisfactory impact of the development to accord with Policy DM1 of the adopted Site Allocations and Development Management Policies DPD.

3. The materials to be used on the exterior of the proposed extensions shall match the corresponding materials of the existing dwelling

Reason: To ensure that the development has a satisfactory external appearance and in the interests of visual amenity to accord with Policy DM10 of the Site Allocations and Development Management Policies DPD.

4. No development shall commence until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have first been submitted to and approved in writing by the Local Planning Authority. The approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

Reason: To ensure there are no adverse impacts on neighbouring amenity to accord with Policy DM10 of the Site Allocations and Development Management Policies DPD.

11.4. **Notes to Applicant**

1. The approved development requires 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.

Planning Committee 15 August 2017
Report of the Head of Planning and Development

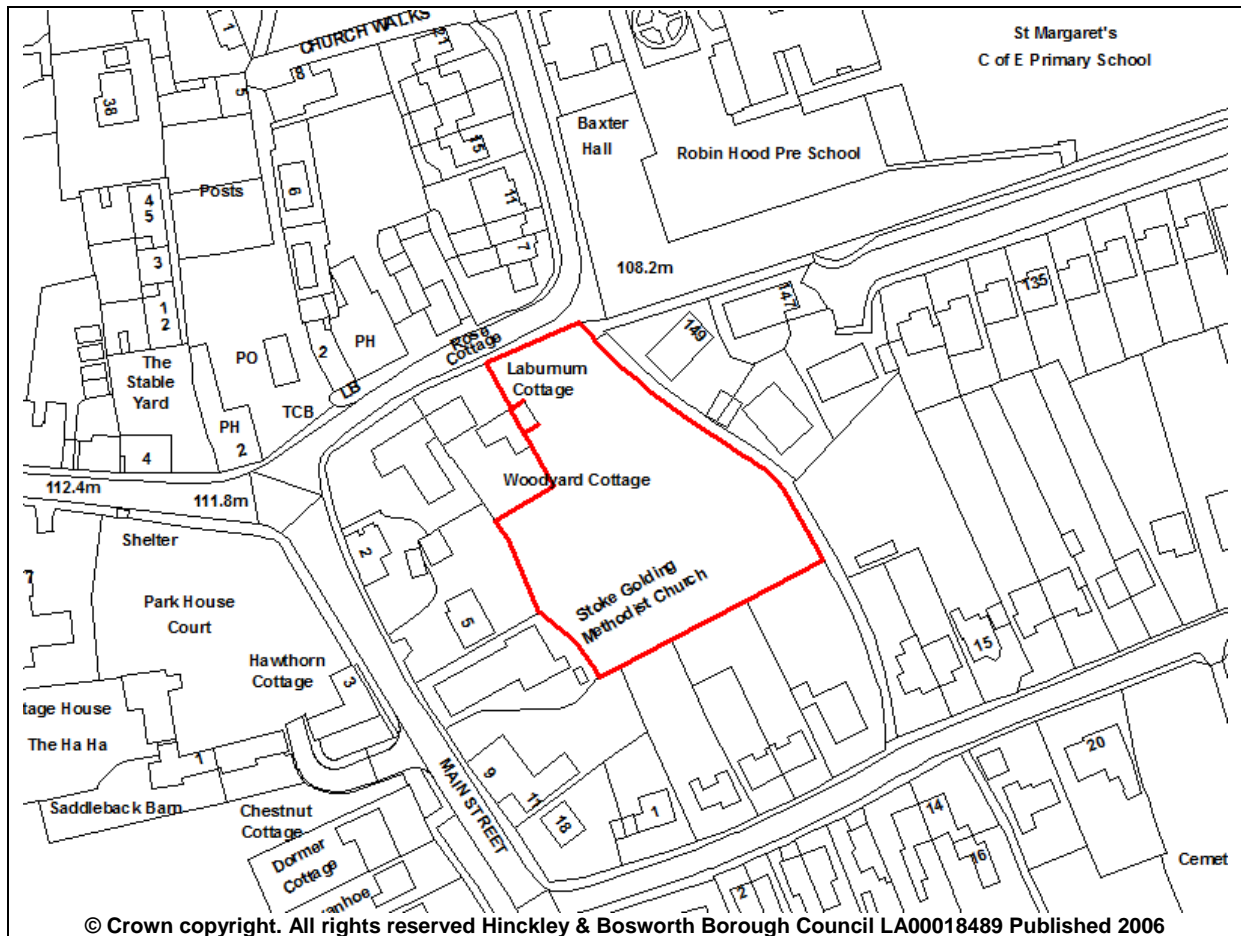
Planning Ref: 17/00484/FUL
Applicant: Cartwright Homes And Mrs French
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Laburnum Cottage High Street Stoke Golding

Proposal: Demolition of garage and erection of 5 dwellings with access and provision of community orchard



1. Recommendations

1.1. Grant planning permission subject to:

- The prior completion of a S106 agreement to secure the following obligations:
 - Provision of a community orchard/public open space and permanent future management and maintenance thereof
- Planning conditions outlined at the end of this report.

1.2. That the Head of Planning and Development be given powers to determine the final detail of planning conditions.

1.3. That the Head of Planning and Development be given delegated powers to determine the terms of the S106 agreement.

2. Planning Application Description

- 2.1. This application seeks full planning permission for the erection of five detached 4/5 bedroom dwellings with access and the formation of a community orchard on land to the side and rear of Laburnum Cottage, High Street, Stoke Golding. A new 5 metre wide access road with 2 metre wide and 1 metre wide footways either side is proposed off High Street on the outside of a 90 degree bend in the road. The access would occupy the north east part of the site and lead to a turning head serving 5 detached dwellings with attached garages arranged in an 'L' shape around the south west and south east boundaries of the site. The application includes the demolition of a modern garage attached to the outbuildings of Laburnum Cottage and the provision of a community orchard at the front (north) end of the site to be retained, managed and maintained by the applicant. A central hedgerow and part of a hedgerow on the north east boundary of the site would be removed and the latter replaced with railings to open up the site to the adjacent public footpath.
- 2.2. A Design and Access Statement, Planning Statement, Archaeological Desk-Based Assessment, Archaeological Evaluation Report, Landscape Management Plan and Ecological Appraisal have been submitted to support the application.

3. Description of the Site and Surrounding Area

- 3.1. The application site is located within the settlement boundary of Stoke Golding, within the Stoke Golding Conservation Area and the setting of the grade II listed Woodyard Cottage. The site measures approximately 0.31 hectares and currently forms part of the large garden and the remnants of an orchard associated with Laburnum Cottage. A majority of the site is identified as a 'Key Space' within the Stoke Golding Conservation Area Appraisal and Map. It comprises a grassed area containing a number of small dilapidated timber sheds and a greenhouse and a small number of fruit trees towards the southern part of the site. The site is enclosed predominantly by hedgerows to the south east and north east boundaries and by a variety of fencing to the south west boundary. The north boundary with High Street is defined by a low level large block wall with timber palisade fencing above. There is also a mature hedgerow that runs across the site from south west to north east set back approximately 22 metres from the site frontage with High Street.
- 3.2. There are residential properties surrounding the site. A school lies nearby to the north. There are two public footpaths that converge on High Street at the northernmost point of the site, one of which runs along the north east boundary and links to Hinckley Road. Ground levels fall generally from south west to north east. The site is slightly elevated in relation to High Street and the adjacent public footpath and residential properties to the north east.

4. Relevant Planning History

15/00573/OUT	Erection of 5 dwellings and formation of access (outline - access and layout)	Withdrawn	24.10.2016
--------------	---	-----------	------------

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. As a result of public consultation, at the time of writing this report, responses have been received from 66 different addresses of which 58 raise objections to the scheme and eight support the scheme.

5.3. The objectors raise the following issues and concerns:-

- 1) The site is within the Stoke Golding Conservation Area and identified as an important 'key space' within the heritage asset due to its historical connection with the agricultural origins of the village and is the last remnant of the unique original 'yards' and orchards associated with farm buildings that lined village roads and stretched into the open countryside
- 2) The site provides a significant contribution to the rural character and appearance of the Stoke Golding Conservation Area, the loss of this green open space would cause significant harm to the special character contrary to national guidance and locally adopted planning policies and the aims of the Stoke Golding Conservation Area appraisal, map and long term strategy which seek to protect heritage assets, resist development proposals in 'key areas' and retain open areas
- 3) The proposal would result in the significant loss of the rural vista of a wide open space bounded by old field hedgerow and backdrop of mature trees and replaced by a foreshortened view of a row of houses and hard landscape features
- 4) No substantial public benefits are proposed to outweigh the significant harm to the Stoke Golding Conservation Area. The community orchard is too small (12% of the site), close to roads/traffic and of little practical value or safe use
- 5) The proposal would have an adverse impact on the tranquillity of the adjacent public footpath through to Hinckley Road
- 6) There is no need for additional housing in Stoke Golding or the Borough. The minimum housing requirement of 60 new dwellings for the village in the Core Strategy has been significantly exceeded (155 new dwellings), there are no further residential site allocations for the village in the Site Allocations Document and the Council has a five year supply of housing land
- 7) The proposed access is located on a busy, narrow, sharp bend subject to on-street parking, particularly but not limited to, school drop off and pick up times and is adjacent to the intersection of two footpaths giving cause for concerns for highway and pedestrian safety
- 8) Loss of old field boundary hedgerow and biodiversity/habitat and wildlife corridor
- 9) Lack of village facilities and infrastructure to support additional dwellings
- 10) The orchard should be replaced by a community parking area for the village
- 11) Smaller, low cost houses should be built
- 12) Loss of privacy from overlooking
- 13) Loss of green field site, not brownfield site - garden grabbing
- 14) Proposal is premature to the emerging Neighbourhood Plan
- 15) Noise, disturbance and highway/pedestrian safety concerns during the construction phase

5.4. The letters of support for the scheme provide the following comments:-

- 1) Scheme is a wonderful compromise between allowing some modest development but also providing a new accessible public open space/orchard area
- 2) Numerous other changes/developments have been permitted in the centre of the village within close proximity to the site, why not here?
- 3) The underused garden land is in an accessible central village location close to amenities and bus routes
- 4) Suitable infill housing development should be allowed, would enhance and bring new life to the centre of the village and would not damage the rural setting of the village by encroaching on viable farmland/greenfield sites

- 5) The land is not historic, common or open community land but privately owned, visually enclosed and with no current public access
- 6) Much of the land was previously built on for homes (cottages) and the orchard was planted in living memory
- 7) Will result in considerable safety improvements and enhancement of the narrow, dark, enclosed and often overgrown walkway
- 8) The new junction will help with visibility and peak time parking around the present bend
- 9) Development should not be stopped for the sake of the retention of an unrestricted view from surrounding houses
- 10) The land has no archaeological significance
- 11) The site currently has no public benefit and may deteriorate if not used for some useful purpose.

6. Consultation

6.1. No objections, some subject to conditions, have been received from:-

Leicestershire County Council (Highways)
 Leicestershire County Council (Archaeology)
 Leicestershire County Council (Ecology)
 Environmental Health (Pollution)
 Environmental Health (Drainage)
 Street Scene Services (Waste)

6.2. Stoke Golding Parish Council raise objections to the scheme on the following grounds:-

- 1) There is no need for additional housing in Stoke Golding. The minimum housing requirement for the village in the Core Strategy has been exceeded
- 2) Highway/pedestrian safety. The proposed access is located on a busy, narrow bend with poor visibility, close to a primary school and two footpaths and subject to on-street parking
- 3) The site is an integral and fundamental part of the Stoke Golding Conservation Area and identified as a 'key space' within the area. Its loss as an open space would be detrimental to the conservation area and the 'rural' character of the village
- 4) The proposed community orchard is of little practical value and would increase the maintenance budget should it be donated to the Parish Council.

6.3. Stoke Golding Heritage Group raise objections to the scheme on the following grounds:-

- 1) Loss of historically important, undeveloped 'key open space' that provides a significant contribution to the rural character and appearance of the Stoke Golding Conservation Area
- 2) Significant loss/foreshortening of the open 'rural' vista from High Street
- 3) Significant harm to the special character and appearance of the Stoke Golding Conservation Area
- 4) Loss of old field boundary hedgerow and habitat conservation feature
- 5) No substantial public benefits to outweigh the significant harm to the Stoke Golding Conservation Area
- 6) There is no requirement for additional houses in Stoke Golding or the Borough. The minimum housing requirement for the village has been exceeded therefore the Site Allocations Document does not allocate further sites for residential development and the Council has a five-year housing land supply.

- 7) The proposed access is located on a sharp bend adjacent to the intersection of two footpaths, close to the primary school entrance and gives cause for concern for highway and pedestrian safety
- 6.4. County Councillor Ould states that he has been contacted by objectors and supporters of the scheme and considers that both make a number of valid points. He makes the following points:-
- 1) Infill development fundamentally alters the historical layout of any village when it is over intensive
 - 2) There is pressure on planning authorities to build houses, however, the village has already exceeded its allocated quota of housing
 - 3) The objections by Stoke Golding Heritage Group and others in respect of adverse effects on the Stoke Golding Conservation Area will need to be carefully assessed should the recommendation be to permit the proposals
 - 4) The access is at the apex of a 90 degree bend close to a school and gives rise to concerns in respect of pedestrian safety, particularly school children.
- 6.5. David Tredinnick MP has written to represent the views of local residents. He states that a majority, those that object to the scheme, have raised significant concerns relating to: adverse impacts on the Stoke Golding Conservation Area including the almost total loss of a unique 'Key Open Space'; no further identified need for housing in Stoke Golding as the allocation has been exceeded; the location of the site on a sharp bend exacerbates highway safety issues close to the school. He states that there is also minority support for the scheme on the grounds that extra housing is needed in the area and that increased capacity at the higher end of the market may free up other homes in the local market. He requests that Planning Committee take all of these important issues fully into account when assessing the merits or otherwise of the scheme.
- 6.6. No response has been received from:-
- Leicestershire Archaeological and Historical Society
Ramblers Association
Severn Trent Water Limited

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone
- Policy 15: Affordable Housing
- Policy 19: Green Space and Play Provision

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (PPG)
- Planning (Listed Buildings and Conservation Areas) Act 1990

7.4. Other relevant guidance

- Stoke Golding Conservation Area Appraisal and Map (2013)
- Supplementary Planning Document on Affordable Housing (2011)
- Open Space, Sports and Recreational Facilities (PPG17) Study (2011)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the historical significance and character and appearance of the Stoke Golding Conservation Area
- Impact on archaeology
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Infrastructure and affordable housing
- Biodiversity/Ecology
- Drainage/Flooding
- Other issues

Assessment against strategic planning policies

- 8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF states that the development plan is the starting point for decision making and that proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Paragraph 13 of the NPPF states that the NPPF is a material consideration in determining applications.
- 8.3. The relevant development plan documents in this instance consist of the adopted Core Strategy (2009), and the adopted Site Allocations and Development Management Policies Development Plan Document (2016) (SADMP).
- 8.4. The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. Policy 11 of the adopted Core Strategy states that to support local services and maintain rural population levels the Council will allocate land for the development of a minimum of 60 new dwellings in Stoke Golding. Policy DM1 of the adopted SADMP provides a presumption in favour of sustainable development that accords with policies in the development plan.
- 8.5. Objections to the proposal have been received on the grounds that there is no need for additional housing in Stoke Golding or the Borough. The minimum housing requirement of 60 new dwellings for the village in the Core Strategy has been significantly exceeded (155 new dwellings), there are no further residential site allocations for the village in the Site Allocations Document and the Council has a five year supply of housing land. Reference is also made to the Inspector's comments in an earlier dismissed appeal decision notice in respect of a scheme for 75 new dwellings for Stoke Golding.

- 8.6. Supporters of the scheme suggest that the site is private, underused garden land in an accessible central village location close to amenities and bus routes, that suitable infill housing development should be allowed, would bring new life to the centre of the village and would not damage the rural setting of the village by encroaching on viable farmland/greenfield sites.
- 8.7. The HBBC 'Briefing Note 2016 - Five Year Housing Land Supply Position at 1 April 2016' confirms that the Council is able to demonstrate a five year housing land supply of 5.84 years. Therefore the relevant development plan policies relating to the supply of housing are neither absent nor silent and are considered up to date and in accordance with paragraphs 47 and 49 of the NPPF. The settlement-specific housing targets within the adopted Core Strategy are only 'minimum' figures and as at 1 April 2016 the allocation of 60 dwellings for Stoke Golding had already been exceeded by 79 additional dwellings. There is therefore no current overriding need for additional housing for Stoke Golding.
- 8.8. Notwithstanding this, the application site is located within the settlement boundary of Stoke Golding in a relatively sustainable location in the centre of the village with reasonable access to its services and facilities. The proposed scheme is significantly different in nature from the much larger scale scheme for 75 new dwellings dismissed at an earlier appeal. By virtue of its small scale the proposal would not have any significant adverse impact on the spatial vision of the adopted Core Strategy.

Design and impact upon the historical significance and character and appearance of the Stoke Golding Conservation Area

- 8.9. The application site is located within Stoke Golding Conservation Area and the setting of the grade II listed Woodyard Cottage. A Planning Statement (including a Heritage and Design section) and a Design and Access Statement have been submitted to support the application.
- 8.10. In reaching a decision on this planning application it is important that Members consider the analysis undertaken by officers in relation to heritage considerations and that Members have full regard to the statutory duties which are placed on the Council under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 and the guidance within Section 12 of the NPPF, as set out within the committee report.
- 8.11. Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 places a duty on the local planning authority in respect of conservation areas in the exercise of planning functions to require special attention to be paid to the desirability of preserving or enhancing the special character or appearance of conservation areas. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting, to have special regard to the desirability of preserving the listed building's setting and any features of special architectural and historic interest which it possesses.
- 8.12. Section 12 of the NPPF provides national guidance on conserving and enhancing the historic environment. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss identified is necessary to achieve substantial public benefits that outweigh that substantial harm

or loss. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use. Paragraph 137 of the NPPF states that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

- 8.13. Policy DM11 of the adopted SADMP seeks to protect, conserve and enhance the historic environment. All development proposals which have the potential to affect a heritage asset or its setting will be required to demonstrate an understanding of the significance of the heritage asset and its setting, the impact of the proposal on the significance of the asset and its setting, how the benefits of the proposal will outweigh any harm caused.
- 8.14. Policy DM12 of the adopted SADMP states that development proposals should ensure the significance of a conservation area is preserved and enhanced through the consideration of important features identified in the relevant Conservation Area Appraisal and Management Plan, including the retention of key spaces, preservation or enhancement of key views and vistas, historic street pattern and plan form where feasible, the use of natural building materials and appropriate boundary treatments. Proposals that affect the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting.
- 8.15. Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally. Policy 11 of the adopted Core Strategy requires new development in Stoke Golding to respect the character and appearance of the Stoke Golding Conservation Area by incorporating locally distinctive features into the development.
- 8.16. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 place a duty on the local planning authority to have special regard to the desirability of preserving a listed building's setting and the desirability of preserving or enhancing the special character or appearance of conservation areas. The SGCA Appraisal states that the character of the conservation area is primarily derived from the agricultural origins of the settlement, identified through a number of former farmhouses and related buildings within the area, strong visual links to the countryside and several important green or hard surfaced spaces.
- 8.17. Historically Laburnum Cottage dates from the 18th century and was the likely core of a small agricultural complex on the edge of High Street with a yard and gardens which at the time extended into open countryside. The plot layout and remnants of the yard, garden and orchard are still evident. The SGCA Appraisal suggests that the application site provides a physical reminder of the agricultural origins and rural character of the village and as such the larger (rearmost) section of the site is identified as a 'key space' which provides a positive contribution to the special character, and thus significance, of the conservation area.
- 8.18. The SGCA Appraisal recognises the positive contribution of greenery between buildings as provided by the site and the contribution of the mature trees on the rear section of the site to the character of the area. The existing lawn and undeveloped nature of the front of the site allows a vista from High Street towards the rear

elevations and roof line of the early-20th century properties located on Hinckley Road beyond the conservation area boundary.

- 8.19. The SGCA Appraisal identifies the site as warranting special consideration for enhancement, defined as reinforcing the qualities that provide the special interest which warranted designation. The SGCA Management Plan identifies that one way in which the area could be enhanced would be the replacement of the existing large block wall and timber and wire mesh fences along the boundary to High Street.
- 8.20. Historical map evidence shows that the application site was broadly in its current shape as far back as the first available tithe map (1845) with Woodyard Cottage, Laburnum Cottage and outbuilding (likely coach shed) all evident. A building also stands fronting on to High Street. The site is described in the award that accompanies the map as house, garden and buildings. The first edition Ordnance Survey (OS) map of 1888 shows a similar scene as the tithe map and identifies the garden behind the building as an orchard, or at least partially covered by trees. A boundary divides the northern section of the site. By the second edition OS map of 1903 trees are no longer noted but reappear on the 1929 OS map. The next available OS map from 1963 identifies that the buildings fronting High Street have been demolished, although the boundary remains and the main garden is still shown as containing trees. The 1983 OS map identifies the construction of a garage within the site. The map progression also demonstrates the considerable amount of development that has taken place around the whole site.
- 8.21. Objections to the proposal have been received on the grounds that the site is within the Stoke Golding Conservation Area and identified as an important 'key space' within the heritage asset due to its historical connection with the agricultural origins of the village and is the last remnant of the unique original 'yards' and orchards associated with farm buildings that lined village roads. Objectors suggest that the site provides a significant contribution to the rural character and appearance of the Stoke Golding Conservation Area, the loss of this green open space would cause significant harm to the special character contrary to national guidance and locally adopted planning policies and the aims of the Stoke Golding Conservation Area appraisal, map and long term strategy which seek to protect heritage assets, resist development proposals in 'key areas' and retain open areas. Objectors also suggest that the proposal would result in the significant loss of the rural vista of a wide open space bounded by old field hedgerow and backdrop of mature trees and replaced by a foreshortened view of a row of houses and hard landscape features. Objectors suggest that no substantial public benefits are proposed to outweigh the significant harm that they identify.
- 8.22. Supporters of the scheme suggest that: the land is not historic, common or open community land but privately owned, visually enclosed and without any public access; numerous other developments have been permitted in the centre of the village within close proximity to the site; much of the land was previously built on for homes (cottages on the High Street frontage) and the existing orchard at the rear was planted in living memory. Supporters suggest that the scheme offers a good compromise between allowing a modest development but also providing a new accessible public open space/community orchard area and that currently the site offers no public benefit and may deteriorate if not used for some useful purpose.
- 8.23. The application site is one of the few remaining undeveloped spaces within the historical core of the village. It comprises a modern garage and two sections of land predominantly laid to grass and divided by a hedgerow. The proposed scheme includes the demolition of the modern garage and the erection of five new detached two storey dwellings, set back within the southern and western sections of the site, with a new access road from High Street and a community orchard at the front of

the site along with additional soft landscaping to the side boundary with the public footpath.

- 8.24. Although not identified within the SGCA Management Plan the modern garage makes a negative contribution to the significance of the SGCA due to its poor quality and uncharacteristic appearance. The proposed development of five dwellings and the new access would clearly alter the undeveloped nature of the majority of the site and would result in a net loss of green space. However, by virtue of the 'L' shaped layout and the siting of the dwellings to the rear of the retained outbuilding of Laburnum Cottage and towards the rearmost part of the site, an area of green open space would be retained and would also be made accessible for public use in the form of the proposed community orchard. In addition, the layout and single storey garages between plots would still allow views through the site to the trees on its rear boundary, although this would be further restricted in time as the additional greenery provided by the proposed community orchard became established.
- 8.25. The rearmost part of the site is identified in the SGCA Appraisal as a 'key space' due to its historic link to the agricultural origins of the settlement, however, the application site has long since lost any link to the countryside, being surrounded by (primarily residential) development and being located some distance from the settlement boundary. The site is not 'open' as described in the SGCA Appraisal but is enclosed by boundary hedgerows which restrict any public views into the main part of the site (other than the first floor windows of surrounding houses). There is currently no public access to the site, being a private garden and the vista identified in the SGCA Appraisal is of the rear elevations of modern houses behind the site boundary trees and hedgerow.
- 8.26. The proposal would lead to the loss of a considerable amount of the 'key space' identified in the SGCA Appraisal and also reduce the extent of an identified vista that together provide a positive contribution to the significance of the SGCA. The proposed scheme is therefore considered to cause some harm to the heritage asset. However, given the enclosed, none public nature of the 'key space' and the already restricted vista towards non-heritage assets, that level of harm is considered to be "less than substantial" in this case in terms of paragraph 134 of the NPPF.
- 8.27. Therefore, in accordance with Policy DM11 of the SADMP and paragraph 134 of the NPPF the harm caused by the proposal must be weighed against any identified heritage and/or other public benefits that may arise from the scheme. Public benefits could include anything that delivers economic, social or environmental benefits as described in paragraph 7 of the NPPF.
- 8.28. There is currently no public access to the site, being a private garden. The site is currently predominantly grassed with a few small dilapidated timber buildings and old fruit trees towards the rear of the site but has to date been well maintained by the owners family members. The proposed scheme includes the provision of a community orchard at the front of the site to be planted with suitable fruit tree specimens and wild flowers. The existing Holly tree to the site frontage provides a positive contribution to visual amenity and is to be retained and incorporated into the orchard.
- 8.29. It is acknowledged that the scheme for residential development on part of the 'key space' would result in a loss in the quantity of green space. However, it is considered that the provision of a new public green space and community orchard would open up the site for the substantial social benefit of the community whilst reflecting the previous historical use of the wider space as a garden and orchard. It would therefore preserve the significance of the space to the SGCA to some

degree. The proposed orchard and additional planting and its long term management and maintenance (to be secured by a suitable legal agreement) would ensure that the scheme would result in a significantly higher quality green space at the site frontage to enhance the street scene and provide significant social and environmental benefits to the community. The applicant is currently drafting a suitable legal agreement to secure the long term management and maintenance of the proposed public green space through a private management and maintenance company.

- 8.30. The removal of the modern garage would improve the setting of Laburnum Cottage and the removal of the existing low level large stone block wall and palisade fencing and its replacement with low level metal bow top fencing would all provide environmental benefits through the enhancement of the appearance of the street scene within the SGCA.
- 8.31. The public footpath that runs along the east boundary of the site is currently very enclosed by tall hedgerow and close boarded timber fencing either side for the majority of its length and has an oppressive enclosed nature. The scheme includes the removal of a section of hedgerow along the east boundary of the site which would open up the footpath to the proposed public open space and improve the attractiveness of the footpath for future users providing a social and environmental benefit.
- 8.32. Although objectors consider otherwise, the provision of the new access road on the outside of the sharp bend in High Street would be likely to result in less chance of inconsiderate parking in this position as it would block the new access. Therefore, notwithstanding the objections received, the scheme is likely to result in a public benefit in terms of highway safety.
- 8.33. The site, whilst 'green', comprises a number of low biodiversity value habitats. The proposed scheme would result in a net gain in the biodiversity value of the site through the retention of its best features (boundary hedgerow/trees) and the provision of additional planting along with its long term management and maintenance.
- 8.34. Notwithstanding that the residential allocation for the village has been exceeded, the site lies in the centre of this relatively sustainable settlement and would contribute a social benefit through the provision of additional housing within the borough. The scheme would also provide an economic benefit to the area through employment and services during the construction phase and a longer term economic benefit through the support of local services by the future occupiers.
- 8.35. There is no dominant building style within the SGCA but the proposed dwellings would reflect the local vernacular, particularly that of Laburnum Cottage. The design includes architectural features that are characteristic of the SGCA including brick segmental window arches, stretcher sills, open eaves detail, brick dentil courses to gable ends, open feature porches and vertical timber doors. External materials include the use of red facing bricks but no sample has been provided and roof tiles have not been specified. The materials to be used in the construction of the dwellings would have a significant impact on the overall character and appearance of the scheme and therefore, notwithstanding the submitted details, a condition to require their submission for prior approval would be reasonable and necessary to ensure that the ultimate detail would sustain the significance of the SGCA. Subject to the use of appropriate natural external materials, the layout, scale, design and appearance of the scheme would complement the character of the SGCA and wider area in accordance with Policy 11 of the adopted Core Strategy and Policy DM10 of the adopted SADMP.

- 8.36. Woodyard Cottage is a grade II listed house dating from the early to mid-18th century. The building has architectural and historic interest, but given that there is no clear visual or associative relationship between the application site and Woodyard Cottage it is considered that the proposal would have a neutral impact on its setting and significance.
- 8.37. For the reasons discussed in this report, the proposed scheme would result in less than substantial harm to the significance of the SGCA. In accordance with paragraph 134 of the NPPF the harm should be weighed against the public benefits of the proposal. The scheme would provide the following benefits:-
- a new, higher quality and publically accessible green space and community orchard along with its long term management and maintenance
 - removal of a prominent modern garage of unsympathetic design and appearance from the street scene and an unsympathetic block wall and fencing from the sites highway frontage
 - improvements to the adjacent public footpath
 - the new access road is likely to result in a net gain to highway safety by virtue of discouraging inconsiderate parking on a sharp bend
 - a high quality, well designed small scale residential development that reflects the local vernacular and would complement the character and appearance of the SGCA
 - improvements to the biodiversity value of the site
 - a small short term economic benefit through the construction of the development and a longer term economic benefit through support for local services by future occupiers
- 8.38. In weighing these benefits against the less than substantial harm identified, full regard has been given to the statutory duties of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and full regard has been given to the considerable importance and weight to be given to the preservation or enhancement of the relevant heritage assets.
- 8.39. Having carried out this weighing exercise and had full regard to all of the relevant heritage issues, it is concluded that the social, environmental and economic public benefits to be delivered by the proposal are considerable and outweigh the less than substantial harm caused by the proposed development. The proposal would therefore preserve the character of the SGCA and would be acceptable in terms of the statutory duty of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 132, 133 and 134 of Section 12 of the NPPF, Policies DM11, DM12 and DM10 of the adopted SADMP and Policy 11 of the adopted Core Strategy.

Impact on archaeology

- 8.40. Policies DM11 and DM13 of the adopted SADMP state that where a proposal has the potential to impact a site of archaeological interest, developers will be required to provide appropriate desk-based assessment and, where applicable, field evaluation detailing the significance of any affected asset. Where preservation of archaeological remains in situ is not feasible and /or justified the local planning authority will require full archaeological investigation and recording by an approved archaeological organisation before development commences.

- 8.41. Paragraph 128 of the NPPF states that where a site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit appropriate desk-based assessment and field evaluation. Paragraph 141 of the NPPF requires developers to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and the impact and to make this evidence publically accessible.
- 8.42. An Archaeological Desk-Based Assessment and Archaeological Field Evaluation Report (Trial Trenching) have been submitted to support the application. Leicestershire County Council (Archaeology) has assessed the application and from the information submitted they advise that the site has significant archaeological interest due to its position within the medieval and post-mediaeval core of the village. They advise that early mediaeval remains are comparatively rare within village contexts and therefore constitute a significant heritage asset that may contribute towards an understanding of the medieval development of the settlement of the village. Notwithstanding this, they raise no objection to the application. However, as buried archaeological remains are likely to be adversely affected by the development, they recommend that the application is approved subject to conditions for an appropriate programme of archaeological mitigation, including intrusive and non-intrusive investigation and recording prior to any development commencing on site along with on-site archaeological supervision. The conditions are necessary to safeguard any potentially important archaeological remains present in accordance with Policies DM11 and DM13 of the adopted SADMP and section 12 of the NPPF.

Impact upon neighbouring residential amenity

- 8.43. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.44. Objections to the proposal have been received on the grounds that the proposal would result in a loss of privacy from overlooking.
- 8.45. Supporters of the scheme suggest that development should not be stopped for the sake of the retention of an unrestricted view from surrounding houses.
- 8.46. The site is surrounded by predominantly residential properties. Any first floor rear elevation windows to proposed Plots 1, 2 and 3 would be set in from the south east boundary by a minimum of 11 metres and therefore would not result in any significant adverse overbearing impacts on the substantial 20 – 30 metre long gardens of the two storey houses fronting onto Hinckley Road. In addition, this boundary is defined by a mature hedgerow and currently provides significant screening to protect privacy. Where necessary a new 2 metre high close boarded timber screen fence is proposed to protect respective privacy and amenity of existing neighbours and future occupiers of the site.
- 8.47. To the south west of the site lies a dormer bungalow (5 Main Street) and Stoke Golding Methodist Church. 5 Main Street is set in from the site boundary by approximately 11 metres although a rear conservatory reduces that distance to approximately 8 metres in part. Any first floor rear elevation windows of Plots 4 and 5 and first floor side elevation windows of Plot 3 would be set in from the south west boundary by a minimum of 10 metres and therefore would not result in any significant adverse overbearing impacts on 5 Main Street. In addition, a new 2 metre high close boarded timber screen fence is proposed which along with the proposed separation distances would protect respective privacy and amenity of the occupiers of 5 Main Street and future occupiers of the site.

- 8.48. A new 1.8 metre high close boarded timber screen fence is proposed to define the new garden boundary and protect the privacy and amenity of the host dwelling, Laburnum Cottage. The side elevation of Plot 5 facing Laburnum Cottage lies 18 metres from the main rear elevation of the dwelling and is blank. Therefore the proposal would not result in any significant adverse overbearing impacts or loss of privacy to the occupiers of the host dwelling.
- 8.49. There is a public footpath that runs adjacent to the north east boundary of the site with detached bungalows that occupy a lower ground level than the site beyond. The closest first floor window within the proposed scheme would be at an oblique angle to the nearest garden of the bungalows and at a separation distance of 8 metres across the public footpath. In addition the public footpath is defined by mature hedgerows along both sides that provide screening to protect privacy. By virtue of the separation distance, orientation and existing boundary treatments, the proposed scheme would not result in any significant adverse overbearing impacts or loss of privacy to the occupiers of bungalows on Sherwood Road.
- 8.50. By virtue of the layout, design, separation distances and existing and proposed boundary treatments, the proposed scheme would not result in any significant adverse impacts on the privacy or amenity of the occupiers of any neighbouring properties or future occupiers of the site and would therefore be in accordance with Policy DM10 of the adopted SADMP.

Impact upon highway safety

- 8.51. Policy DM17 of the adopted SADMP supports development that would be able to demonstrate that there would not be a significant adverse impact on highway safety and that proposals reflect the latest highway authority design standards. Policy DM18 requires new development to provide an appropriate level of parking provision taking into account the sites location, type of housing and other modes of transport available.
- 8.52. Objections to the proposal have been received on the grounds that the proposed access is located on a busy, narrow, sharp bend subject to on-street parking and is adjacent to the intersection of two footpaths giving cause for concerns for highway and pedestrian safety.
- 8.53. Supporters of the scheme suggest that the new junction will help with visibility and peak time parking around the present bend and that the proposal will result in considerable safety improvements and enhancement of the narrow, dark, enclosed and often overgrown walkway adjacent to the site.
- 8.54. A new access is proposed off the outside of a 90 degree bend in High Street and adjacent to the junction of two public footpaths from Hinckley Road and Sherwood Road. The supporting information states that the new access and turning head are designed and would be constructed to an adoptable standard and in accordance with current highway design guidance.
- 8.55. The position of the access would provide adequate visibility along High Street in both directions from the site and by virtue of its width and design would be adequate to serve the proposed small scale scheme. The proposed layout includes three off-street vehicle parking spaces for each dwelling which would be adequate to serve the development and in accordance with highway design guidance for 4/5 bedroom dwellings.
- 8.56. Leicestershire County Council (LCC) (Highways) has assessed the scheme and considers that the residual cumulative impacts of the proposed development can be mitigated and are not severe. The Highway Authority advises that there are no accident records on the road network in the vicinity of the site and on the basis of

LCC speed survey records, it is reasonable to suggest that speeds on High Street are low and that the sharp bend at the site frontage has a beneficial impact on vehicle speeds. The evidence does not support the suggestion that High Street is a particularly dangerous route and by virtue of the small scale nature of the scheme any additional vehicle movements would not result in a significant increase in traffic. The Highway Authority therefore raise no objections on highway or pedestrian safety grounds subject to a number of highway related conditions to ensure that the access, parking and turning is constructed as proposed, that appropriate visibility across the highway frontage is maintained and that adequate surface water drainage is provided.

- 8.57. The scheme would not result in any significant adverse impacts on highway or pedestrian safety and would provide adequate off-street parking to serve the development. The proposal would therefore be in accordance with Policies DM17 and DM18 of the adopted SADMP.

Infrastructure and affordable housing

- 8.58. Policy DM3 of the adopted SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities.
- 8.59. Policy 15 of the adopted Core Strategy requires the provision of 40% affordable housing on sites of 4 dwellings or more or on sites measuring 0.13 hectares or more in rural areas, including Stoke Golding.
- 8.60. Policy 11 and 19 of the adopted Core Strategy seek to address existing deficiencies in the quality, quantity and accessibility of green space and children's play provision within Stoke Golding. The Open Space, Sports and Recreational Facilities (PPG17) Study provides further advice on the quality of facilities at each designated public open space.
- 8.61. The request for any planning obligations (infrastructure contributions) must be considered alongside the guidance contained within the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations confirm that where developer contributions are requested they need to be necessary to make the development acceptable in planning terms, directly related and fairly and reasonably related in scale and kind to the development proposed.
- 8.62. Notwithstanding the requirements of the aforementioned policies, paragraph: 031 Reference ID: 23b-031-20160519 of the Planning Practice Guidance, which is a material consideration, states that contributions for affordable housing and tariff style planning obligations for infrastructure should not be sought for small scale developments of 10 units or less and which have a maximum combined gross floor space of no more than 1000 square metres. The proposed scheme would not exceed either of those thresholds and therefore no affordable housing or infrastructure contributions have been sought in this case.
- 8.63. Notwithstanding that objections have been received on the grounds that the village lacks adequate facilities and infrastructure to support additional dwellings, by virtue of the small scale of the development for only 5 new dwellings the scheme would be unlikely to result in any significant additional impact on the available facilities within the village.

Biodiversity/Ecology

- 8.64. Policy DM6 of the adopted SADMP requires that development proposals demonstrate how they conserve and enhance features of nature conservation value.

- 8.65. Objections to the scheme have been received on the grounds that it includes the removal of an old field boundary hedgerow and loss of biodiversity/habitat and wildlife corridor.
- 8.66. An Ecological Appraisal has been submitted to support the application. This concludes that only the hedgerows on the south and east boundaries of the site qualify as priority habitats and that the remaining habitats on site to be lost are of low ecological value. The southern boundary hedgerow and a majority of the east boundary hedgerow are to be retained and a landscaping scheme including replacement hedgerow, fruit trees and wildflowers are to be planted within part of the site and appropriately maintained to increase its biodiversity value. The appraisal also suggests that the incorporation of bat and bird boxes in the development would further enhance its biodiversity value.
- 8.67. From the submitted assessment the proposal would result in the loss of some hedgerow of biodiversity value but this would be mitigated by the planting of replacement new hedgerow, replacement fruit trees and wildflower planting.
- 8.68. Notwithstanding the submitted Landscaping Scheme details, the applicant has been asked identify the species of fruit trees currently on the site and repeat those within the proposed planting scheme to mitigate their loss. Consideration was given to the potential transplanting of the existing trees, however, they are not known to be of any special heritage value and therefore their loss can be mitigated by replacement planting. New trees are considered to be more likely to be successful than transplants and would establish the orchard, a key amenity feature, in a shorter time period. The Borough Council's Tree Officer has visited the site. He considers that there are no trees of any special character that would be lost and that it would be more cost effective and more successful to plant new trees. Therefore, notwithstanding the submitted details, further consideration of the landscaping proposals can be secured by a planning condition.
- 8.69. Leicestershire County Council (Ecology) raise no objections to the scheme but refer to the recommendations within the report which can be secured by a planning condition.
- 8.70. On balance it is considered that the scheme would result in a positive overall impact on biodiversity through the site and would therefore be in accordance with Policy DM6 of the adopted SADMP.

Drainage/Flooding

- 8.71. Policy DM7 of the adopted SADMP seeks to ensure that development does not create or exacerbate flooding. Environmental Health (Drainage) raises no objection to the scheme but recommends a standard condition to require the submission for prior approval of a sustainable surface water drainage scheme to serve the development to ensure that the scheme does not result in flooding.

Other issues

- 8.72. Street Scene Services (Waste) recommend a condition to require the submission of a scheme for the provision of waste and recycling facilities across the site. The submitted Planning Statement states that the access road will be designed to adoptable standard for use by delivery and refuse vehicles. Therefore a condition is not considered to be necessary in this case.
- 8.73. It has been suggested that the proposed orchard should be replaced by a public community parking area for the village. Whilst this would also provide a public benefit to the village, the provision of a car park on the site frontage would not enhance the character or visual appearance of this part of the Stoke Golding Conservation Area.

- 8.74. It has been suggested that the proposal is premature to the Stoke Golding Neighbourhood Plan. However, the plan is not at a stage that would enable any weight to be attached to it.
- 8.75. Objections have been received on the grounds of noise, disturbance and highway/pedestrian safety concerns during the construction phase, however, any potential adverse impacts would be temporary in nature and would in any case be subject to separate control by other legislation.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. The application site is located within the rural centre of Stoke Golding, a relatively sustainable settlement with reasonable access to its services and facilities. Residential development of the site would therefore be generally in accordance with the adopted strategic planning policies of the development plan.
- 10.2. The report has: 1) Identified which heritage assets and their settings are affected; 2) Assessed whether, how and to what degree the site contributes to the significance of the heritage assets; 3) Assessed the effects of the proposed development, whether beneficial or harmful, on that significance; and 4) Explored the way to maximise preservation or enhancement and avoid or minimise harm. Notwithstanding that a majority of the site is identified as a 'key space' within the Stoke Golding Conservation Area Appraisal, when considering the significance of the heritage assets it is considered the impact would be less than substantial. In weighing the less than substantial harm against the benefits in accordance with paragraphs 132, 133 and 134 of the NPPF, it is concluded that the public benefits outweigh the harm.
- 10.3. By virtue of the layout, scale, design and appearance of the development it would preserve the character and appearance and therefore significance of the SGCA. Any impacts on buried archaeology can be controlled by suitable conditions.
- 10.4. By virtue of the layout and separation distances together with existing and proposed boundary treatments, the scheme would not result in any significant adverse impacts on the privacy or amenity of any neighbouring properties. Adequate access and off-street parking can be provided to serve the scheme and therefore the proposal would not result in any significant adverse impacts on highway safety. The proposed scheme would not result in any significant adverse impacts on biodiversity and adequate surface water drainage could be provided to serve the development.

- 10.5. The National Planning Policy Framework states that 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; or specific policies in the Framework indicate that development should be restricted.
- 10.6. The proposed scheme would be in accordance with the statutory duty of the Planning (Listed Buildings and Conservation Areas) Act 1990, the overarching principles of the NPPF, Policy 11 of the adopted Core Strategy and Policies DM1, DM6, DM7, DM10, DM11, DM12, DM13, DM17, and DM18 of the adopted SADMP (the Development Plan). There are no other material considerations which indicate that the adopted policies should not apply. The proposal is therefore recommended for approval subject to conditions and completion of an appropriate legal agreement to secure the long term management and maintenance of the public open space for the benefit of the local community.

11. Recommendation

11.1. Grant planning permission subject to:

- The prior completion of a S106 agreement to secure the following obligations:
 - Provision of a community orchard/public open space and future management and maintenance thereof
- Planning conditions outlined at the end of this report.

11.2. That the Head of Planning and Development be given powers to determine the final detail of planning conditions.

11.3. That the Head of Planning and Development be given delegated powers to determine the terms of the S106 agreement.

11.4. 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 51 of 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, as follows:- Site Location Plan Drawing No. S-00; Block Plan Drawing No. S-04; Plot 1 Floor Plans and Elevations Drawing P1-01b; Plot 2 Floor Plans and Elevations Drawing P2-01b; Plot 3 Floor Plans and Elevations Drawing P3-01d; Plot 4 Floor Plans and Elevations Drawing P4-01b; Plot 5 Floor Plans and Elevations Drawing P5-01b; Soft Landscaping Plan Drawing No. KL.339.001 Revision 0 and Landscape Management Plan by KOVA Landscape received by the local planning authority on 18 May 2017 and Site Layout Plan Drawing No. S-01h and Site Sections Drawing No. S-06a received by the local planning authority on 12 July 2017.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. No demolition/development shall take place/commence until a programme of archaeological work (Strip, Plan and Record Excavation and Archaeological

Attendance) including Written Schemes of Investigation have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording
- The programme for post investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the approved Written Schemes of Investigation.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policies DM11 and DM13 of the adopted SADMP and section 12 of the National Planning Policy Framework (2012).

4. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Schemes of Investigation approved under condition (3) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policies DM11 and DM13 of the adopted SADMP and section 12 of the National Planning Policy Framework (2012).

5. Development shall not begin until surface water drainage details, incorporating sustainable drainage principles (SuDS) have been submitted to and approved by the local planning authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Details shall include hydraulic calculations to demonstrate that the proposed drainage system for the development will operate satisfactorily for all prescribed rainfall event up to 1 in 100 year (+ Climate Change).

Reason: To ensure that the development is provided with satisfactory means of surface water drainage to prevent flooding and minimise the risk of pollution in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Notwithstanding the submitted details, before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings and garages shall be 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 appearance in the interests of visual amenity to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. The development hereby permitted shall be constructed in accordance with the approved proposed ground and finished floor levels as submitted on the approved Site Layout Plan Drawing No. S-01h received by the local planning authority on 12 July 2017.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. Prior to the first occupation of any of the dwellings hereby permitted, the access, parking and turning areas shall be constructed and surfaced in accordance with approved Site Layout Plan Drawing No. S-01h received by the local planning authority on 12 July 2017.

Reason: To ensure a satisfactory form of development, to ensure that adequate off-street parking and turning provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area and in the interests of highway safety in accordance with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. No walls, planting or fences shall be erected or allowed to grow on the highway boundary either side of the access junction with High Street exceeding 0.6 metres in height above the level of the adjacent carriageway.

Reason: To ensure adequate pedestrian and vehicle visibility at the access junction in the interests of highway safety in accordance with Policy DM17 of the adopted Site Allocations and Development management Policies Development Plan Document (2016).

10. Notwithstanding the submitted details, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- a) Means of enclosure
- b) Hard surfacing materials
- c) Planting plans
- d) Written specifications
- e) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- f) Implementation programme.

Reason: To enhance the appearance of the development and to ensure that the work is carried out within a reasonable period in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. Prior to the first occupation of any of the dwellings hereby permitted 2 metre high close boarded timber fencing shall be erected in accordance with the approved Site Layout Plan Drawing No. S-01h received by the local planning authority on 12 July 2017 and once provided shall be so maintained at all times thereafter.

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

12. The existing hedgerows and trees on the south east and north east boundaries of the site shall be retained and maintained in accordance with the approved Site Layout Plan Drawing No. S-01h received by the local planning authority on 12 July 2017.

Reason: To enhance the appearance of the development, to protect the privacy and amenity of neighbouring occupiers and future occupiers of the site and to preserve wildlife habitat in accordance with Policies DM10, DM11, DM12 and DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. The development hereby permitted shall be implemented in accordance with the recommendations contained within section 5 of the submitted Ecological Appraisal by Guma Ltd dated March 2017.

Reason: To conserve and enhance features of nature conservation in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1, Classes A to E inclusive shall not be carried out unless planning permission for such development has first been granted by the local planning authority.

Reason: To protect the character and appearance of the development and the Stoke Golding Conservation Area and the privacy and amenities of neighbouring properties to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.5. 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 proposal is situated in excess of 45 metres from the highway. In order to cater for emergency vehicles the drive and any turning areas shall be constructed so as to cater for a commercial or service vehicle in accordance with British Standard B.S.5906, 2005 and Building Regulations Approved Document B, Fire Safety 2006.
3. This planning permission does NOT allow you to carry out access alterations in the highway. Before such work can begin, separate permits or agreements

will be required under the Highways Act 1980 from the Infrastructure Planning team. For further information, including contact details, you are advised to visit the County Council website: - see Part 6 of the '6Cs Design Guide'.

4. A public footpath runs adjacent to the site and this must not be obstructed or diverted without obtaining separate consent from Leicestershire County Council.
5. In relation to Condition 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 and approved by the Building Control Surveyor before development is commenced. If the ground strata proves unsuitable for infiltration, alternative sustainable drainage system proposals will require the further approval of the local planning authority before the condition can be discharged.

Planning Committee 15 August 2017
Report of the Head of Planning and Development

Planning Ref: 16/01058/CONDIT
Applicant: Mr Earley
Ward: Ambien

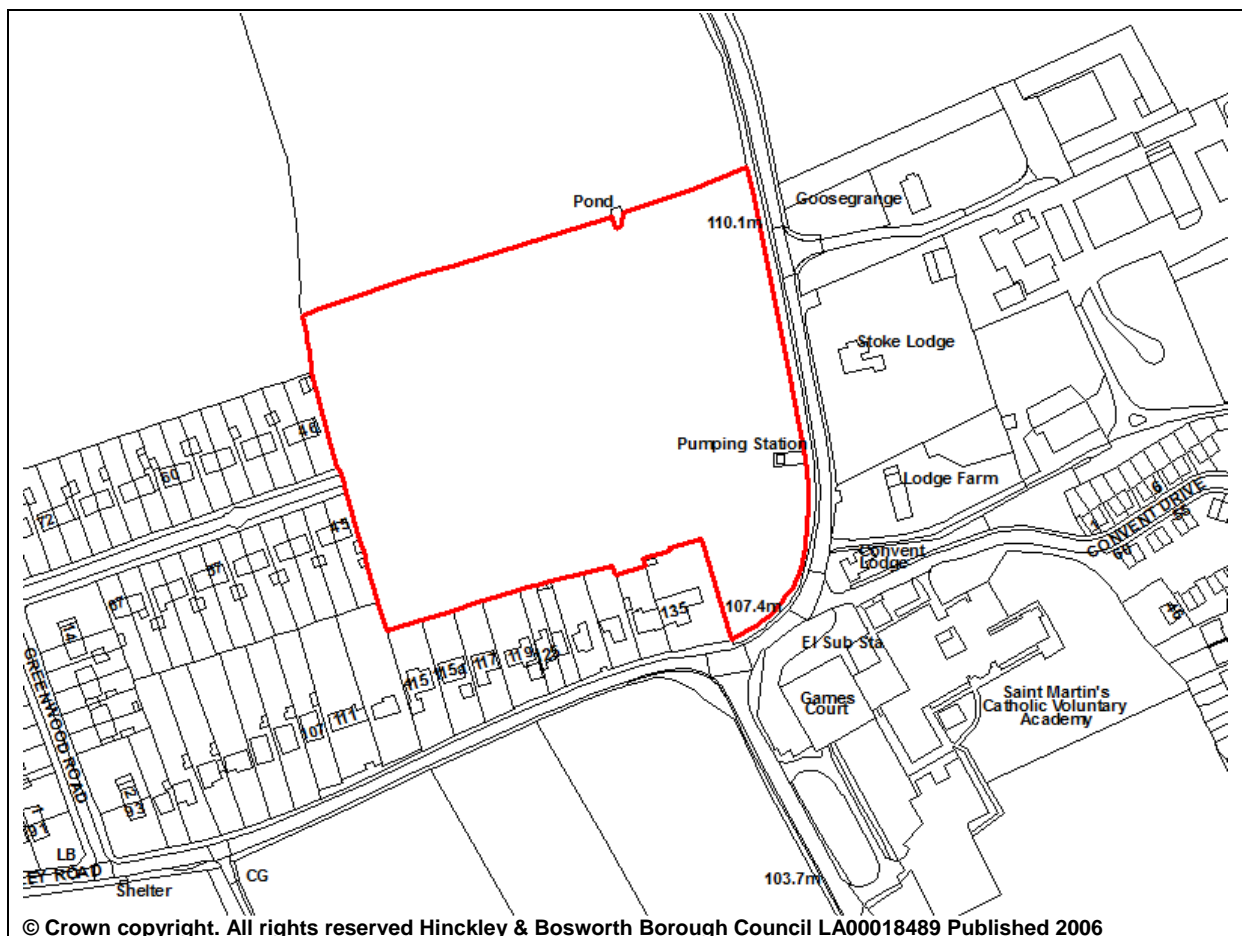


Hinckley & Bosworth
Borough Council

A Borough to be proud of

Site: Land Off Hinckley Road Stoke Golding

Proposal: Variation of Condition 1 of planning permission 16/00212/CONDIT to amend siting of plots 49 - 71 with associated substitution of house types



© Crown copyright. All rights reserved Hinckley & Bosworth Borough Council LA00018489 Published 2006

1. Recommendations

1.1. Grant planning permission subject to:

- The prior completion of a Section 106 agreement to amend the quantity and tenure mix of affordable housing provision on the site, and link the proposed development with the planning permissions listed below. All other requirements of the current legal document completed under the original outline planning permission for the scheme (ref: 14/00262/OUT) shall be carried forward.
 - 14/00262/OUT
 - 15/00073/REM
 - 16/00342/CONDIT

- 16/00472/CONDIT
 - 16/00212/CONDIT
 - 16/01058/CONDIT
 - 17/00130/FUL
- Planning conditions outlined at the end of this report.
- 1.2. That the Head of Planning and Development be given powers to determine the final detail of planning conditions.
 - 1.3. That the Head of Planning and Development be given delegated powers to determine the final terms of the S106 agreement including trigger points and claw back periods.
- 2. Planning Application Description**
- 2.1. This is an application to vary condition 1 of planning permission 16/00212/CONDIT, which relates to the approved plans for the scheme.
 - 2.2. This condition reads as:
 - 1) The development approved shall be carried out in accordance with the submitted details as follows:-
 - Dwg No. E169/P/PL01 Rev P - Site Layout Plan (amended)
 - Dwg No. HRSG-OS Rev A - Site Location Plan
 - Dwg No. E169/P/MP01 Rev D - Materials Plan
 - Dwg No. E3373/501 Rev C - Drainage Strategy Plan
 - Dwg No. MM2633.01_B - Proposed Landscaping Plan
 - Dwg No. E169/P/BS01 Rev B - Bedroom Size Plan
 - Dwg No. E169/A/AH01 - Affordable Housing Plan
 - Dwg No. Q3492_D - Proposed LEAP Plan
 - Dwg No. E169/P/TP01 Rev B - Tracking Plan
 - Dwg No. 2631.TPP Rev B - Proposed Tree Protection Plan
 - Dwg No. E169/P/GAR_01 - Garage Plans and Elevations
 - Dwg No. E149/P/CARP_01 - Carport Plans and Elevations
 - Dwg No. E169/P/BIN_01 - Binstore Plans and Elevations
 - Dwg No. E169/P/HTAPP/01 - Appleton 2 House Type Elevations
 - Dwg No. E169/P/HTAPP/02 - Appleton 2 House Type Floor Plans
 - Dwg No. E169/P/HTDA/01 - Dalton House Type Elevations
 - Dwg No. E169/P/HTDA/02 - Dalton House Type Floor Plans
 - Dwg No. E169/P/HTDUN/01 - Dunham 2 House Type Elevations
 - Dwg No. E169/P/HTDUN/02 - Dunham 2 House Type Floor Plans
 - Dwg No. E169/P/HTRUF/01 - Rufford 2 Plus House Type Elevations
 - Dwg No. E169/P/HTRUF/02 - Rufford 2 House Type Floor Plans
 - Dwg No. E169/P/HTCAP/01 Rev A - Capesthorpe House Type Elevations
 - Dwg No. E169/P/HTCAP/02 - Capesthorpe House Type Floor Plans
 - Dwg No. E196/P/HTMAL/01 - Malham House Type Elevations
 - Dwg No. E196/P/HTMAL/02 - Malham House Type Floor Plans
 - Dwg No. E169/P/HTBRA/01 - Bramhall House Type Elevations
 - Dwg No. E169/P/HTBRA/02 - Bramhall House Type Floor Plans
 - Dwg No. E196/P/HTWIL/01 - Willington House Type Elevations
 - Dwg No. E169/P/HTWIL/02 - Willington House Type Floor Plans
 - Dwg No. E169/P/HTWIN/01 - Winster House Type Elevations
 - Dwg No. E169/P/HTWIN/02 - Winster House Type Floor Plans
 - Dwg No. N196/P/HTMOR/01 - Moreton 2 House Type Elevations
 - Dwg No. E169/HTMOR/02 - Moreton 2 House Type Floor Plans
 - Dwg No. E196/P/HTSTRA/01 - Stratford A House Type Elevations

Dwg No. E169/P/HTSTRA/02 - Stratford A House Type Floor Plans
 Dwg No. E196/P/HTPIC/01 - Pickmere House Type Elevations
 Dwg No. E169/P/HTPIC/02 - Pickmere House Type Floor Plans
 Dwg No. E196/P/HTSTA/01 - Staunton House Type Elevations
 Dwg No. E196/P/HTSTA/02 - Staunton House Type Floor Plans
 Dwg No. E196/P/HTEAT/01 - Eaton House Type Elevations
 Dwg No. E196/P/HTEAT/02 - Eaton House Type Floor Plans
 Dwg No. E196/P/HTSEV/01 - Severn House Type Elevations
 Dwg No. E196/P/HTSEV/02 - Severn House Type Floor Plans
 Dwg No. E196/P/HTWILSA/01 - Willington Hip House Type Elevations
 Dwg No. E196/P/HTWILSA/02 - Willington Hip House Type Floor Plans
 Dwg No. E169/P/HTBUFG/01 Rev A - Budworth FG House Type Elevations
 Dwg No. E169/P/HTBUFG/02 - Budworth FG House Type Floor Plans
 Dwg No. E169/P/HTWHA/01 - Wharfedale House Type Elevations
 Dwg No. E169/P/WHA/02 - Wharfedale Floor Plans
 Dwg No. N196/P/HTMORSA/01 - Moreton 2 SA House Type Elevations
 Dwg No. E169/HTMORSA/02 - Moreton 2 SA House Type Floor Plans
 Dwg No. E169/P/HTWILSA/02 - Willington SA House Type Floor Plans
 Dwg No. N196/P/HTWILSA/01 - Willington SA House Type Elevations
 Dwg No. N196/P/HTSTADG/01 - Stratford A DG House Type Elevations
 Dwg No. E169/HTSTADG/02 - Stratford A DG House Type Floor Plans
 Dwg No. N196/P/HTSTDG/01 - Stratford DG House Type Elevations
 Dwg No. E169/HTSTADG/02 - Stratford A DG House Type Floor Plans
 Dwg No. E169/P/HTCHSA/01 - Chatsworth SA House Type Elevations
 Dwg No. E169/P/HTCHSA/02 - Chatsworth SA House Type Floor Plans
 Dwg No. E169/P/HTBRE/01 - Brereton House Type Elevations
 Dwg No. E169/P/HTBRER/02 - Brereton House Type Floor Plans
 Dwg No. E169/P/HTBUDX/01 - Budworth Extended House Type Elevations
 Dwg No. E169/P/HTBUDX/02 - Budworth Extended House Type Floor Plans
 Dwg No. E169/P/HTCHAX/01 - Chatsworth Extended House Type Elevations
 Dwg No. E169/P/HTBUDX/02 - Chatsworth Extended House Type Floor Plans
 Dwg No. E169/P/HTCHAXE/01 - Chatsworth Extended End House Type Elevations
 Dwg No. E169/P/HTBUDXE/02 - Chatsworth Extended End House Type Floor Plans
 Dwg No. E169/P/HTR1/01 - R1 1 Bed House Type Floor Plans
 Dwg No. E169/P/HTR1/02 - R1 1 Bed House Type Floor Plans

- 2.3. The residential development was originally granted under outline planning permission 14/00262/OUT and subsequent approval of reserved matters 15/00073/REM. Following this, there have been three applications to vary the scheme, including amendments to the layout and the removal of an oak tree on site.
- 2.4. The most recent variation of planning permission (ref: 16/00212/CONDIT) was granted for the removal of an oak tree to the south-east of the site on 4 November 2016.
- 2.5. This variation seeks to amend the site layout further, re-configuring a section of highway and the associated re-siting of dwellings to the northern edge of the site. The scheme would result in one additional dwelling to the site, which is subject to a separate application for full planning permission for one new dwelling (17/00130/FUL).
- 2.6. Following initial concerns raised by the Local Planning Authority and Leicestershire County Council (Highways), an amended layout plan (Site Layout E169/P/PL01 Rev X) received on 27 March 2017, has been submitted for consideration.

- 2.7. The application also seeks to amend the affordable housing provision previously agreed by the original planning permission for the scheme (ref: 14/00262/OUT). The original scheme secured a provision of 40% of the total number of dwellings constructed, and comprising 75% social rented or affordable rented, and 25% intermediate housing. A viability assessment has been submitted by the developer to demonstrate that the original provision is no longer achievable.
- 2.8. There is another application elsewhere on the agenda related to this site for the erection of one new dwelling to the north-west corner of the application site (17/00130/FUL).

3. Description of the Site and Surrounding Area

- 3.1. The site was previously agricultural land, however is currently under development following the approval of the outline and reserved matters applications for the residential scheme.
- 3.2. The site is situated within Stoke Golding, and is approximately 3.1 hectares in size.

4. Relevant Planning History

10/00408/OUT	Residential development (outline - access only)	Refused Appeal Dismissed	20.08.2010 10.05.2010
14/00262/OUT	Residential development (outline - access only)	Permitted	27.01.2015
15/00073/REM	Application for approval of reserved matters (appearance, landscaping, layout and scale) of outline planning permission 14/00262/OUT for residential development of 80 dwellings	Approval of Reserved Matters	23.12.2015
16/00212/CONDIT	Removal of condition 2 of planning permission 15/00073/REM to allow for the removal of an oak tree NT1	Permitted	04.11.2016
16/00342/CONDIT	Variation of condition 1 of planning permission 15/00073/REM to amend positioning of plots 75-80 due to the Water Main Easement with plot 76 house type substituted	Permitted	21.07.2016

16/00472/CONDIT

Variation of condition 1 of planning permission
15/00073/REM to amend plots 42-44 from 3 dwellings to 5 dwellings

Permitted

06.09.2016

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. Representations have been received from four members of the public, raising the following objections:-
- 1) Re-location of affordable housing is not acceptable
 - 2) Adverse impact of the construction of development on neighbouring properties, in terms of noise, dust, and general disturbance
 - 3) Would result in an increase to the number of dwellings on site
 - 4) Stoke Golding does not need more houses
 - 5) Would result in parking on Sherwood Road
 - 6) Proposed housing is not integrated well on site
 - 7) Would impact on views from neighbouring properties to the site
 - 8) Would result in a loss of privacy to neighbouring properties
 - 9) No justification submitted to change the layout
 - 10) Would result in overshadowing impacts to neighbouring properties
 - 11) Would have a detrimental impact on the quality of life of residents
 - 12) The developer intends to expand the residential development into the adjoining field to the north of the site

6. Consultation

- 6.1. Stoke Golding Heritage Group have objected to the application, raising the following concerns:-
- 1) The proposal would result in an increase to the number of dwellings on site
 - 2) There is no requirement for more housing within Stoke Golding
- 6.2. No objections have been received from:-
- Stoke Golding Parish Council
Leicestershire County Council (Ecology)
Leicestershire County Council (Archaeology)
Leicestershire County Council (Drainage)
Severn Trent Water (Ltd)
Arboricultural Officer
Affordable Housing Officer
Environmental Health (Pollution)
Environmental Services (Drainage)
Street Scene Services (Waste)
Leicestershire County Council (Highways)

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- 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) (2012)
- Planning Practice Guidance (PPG)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design, scale and layout
- Impact upon neighbouring residential amenity
- Highway considerations
- Previously imposed planning conditions
- Developer contributions
- Other matters

Assessment against strategic planning policies

8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (see section 38(6) planning and Compulsory Purchase Act 2004) Paragraphs 12 and 13 state that the development plan is the starting point for decision taking and that the NPPF is a material consideration in determining applications.

8.3. The development plan in this instance consists of the Core Strategy (2009) and the Site Allocations and Development Management Policies (SADMP) 2016.

8.4. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. This is reflected in DM1 which provides for the same presumption in respect of applications which accord with the development plan

8.5. The principle of the additional dwelling to the site is appraised under the separate application 17/00130/FUL.

8.6. The principle of development for existing dwellings on site has already been established through the approved outline planning permission (our ref: 14/00262/OUT). This permission was subject to the subsequent approval of reserved matters (our ref: 15/00073/REM) and S106 agreement to secure

infrastructure obligations and developer contributions. These have now been approved.

- 8.7. It is therefore considered, the proposal is acceptable in principle subject to all other planning matters being addressed.

Design, scale and layout

- 8.8. Policy DM10 requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.9. Concerns have been raised for the proposed amended layout, in regard to the re-location of the affordable housing units, the increase in the number of dwellings, and the lack of integration of the dwellings on the site.
- 8.10. The development would result in the re-configuration of the layout to the north-west corner of the site. The scheme as approved under the reserved matters application indicated two side roads off the main estate road through the site to the North West section. This revised layout now proposes one side road. The proposed layout would incorporate the additional dwelling proposed under application 17/00130/FUL.
- 8.11. The dwellings proposed along the northern boundary of the site are large, detached dwellings with a range of designs. The revised layout will result in the realignment and re-siting of dwellings to this northern section; however, it is considered that the proposed layout would enhance the northern boundary, providing an attractive outlook when viewed from the north of the site.
- 8.12. Further, the proposed house types and orientation on the plot would result in no overlooking, overshadowing or overbearing impacts to any future residents.
- 8.13. Therefore, the proposal would be in accordance with Policy DM10 of the SADMP in this respect.

Impact upon neighbouring residential amenity

- 8.14. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.15. Objections have been raised in relation to the development resulting in adverse overshadowing impacts and loss of privacy to neighbouring properties.
- 8.16. The neighbouring property along the north-west boundary with the site is No. 46 Sherwood Road, which would share the boundary with Plots 63 and 49 of the development site.
- 8.17. Notwithstanding the fact that Plot 63 is subject to planning application 17/00130/FUL, given the siting of the plot to the bottom end of No. 46, and the positioning of the garage and dwelling on the plot, it is not considered to have any adverse impact on No. 46, in terms of overlooking, overshadowing or overbearing impacts.
- 8.18. The separation distance between No. 46 and the proposed Plot 49 would be a minimum of 9.5 metres. The dwelling proposed on Plot 49 would extend past the original building line of No.46, however, given the distance between the dwellings, would not result in any adverse overbearing or overshadowing impacts to this neighbour. Further, the windows that would face No. 46 from the western elevation of the dwelling proposed on Plot 49 would serve bathrooms, and thus would not result in any adverse overlooking impacts.
- 8.19. Therefore, the development would be in accordance with Policy DM10 of the SADMP in this respect.

Highway considerations

- 8.20. Policy DM17 of the SADMP states that all new development should in be accordance with the highway design standards. Policy DM18 ensures that development provides appropriate parking provision.
- 8.21. Concerns have been raised in regard to the development leading to an increase in on-street parking, particularly along Sherwood Road. The proposed layout demonstrates off-road parking provision for each dwelling, which reduces the need for vehicles to be parked on the road. In any case, on-street parking is not restricted within this area as it is a residential area.
- 8.22. The proposed layout would include the creation of a new access from the main road through the development, which would split at the north boundary of the site to serve two shared drives. It is proposed that this access is to be adopted by the Highway Authority. Leicestershire County Council (Highways) raised concerns initially with the dimensions and material composition of the proposed road. However, following the submission of the revised Site Layout Plan (E169/P/PL01 Rev X) received on 27 March 2017; LCC have confirmed that the revised layout would be acceptable and suitable for adoption, subject to the completion of a Section S38 technical appraisal.
- 8.23. The development is therefore considered to be in accordance with Policies DM17 and DM18 of the SADMP.

Previously imposed planning conditions

- 8.24. It is necessary to consider whether or not it is appropriate to re-impose the original conditions attached to the permission. The original consent was subject to one condition.
- 8.25. Condition 1, concerns the plans for the development, which is proposed to be varied within this application. The variation would be for the replacement of the previously approved Site Layout Plan (Drg. No. E169/P/PL01/Rev P – Site Layout Plan). Therefore, the condition would be re-worded in accordance with the proposed Site Layout plan (Drg No. E169/P/PL01 Rev X) received 27 March 2017, and would be re-imposed.

Developer contributions

- 8.26. Policy 15 of the Core Strategy sets out the provision of affordable housing for new development. The Affordable Housing SPD provided further information on this.
- 8.27. Policy 19 of the Core Strategy and Policy DM3 of the SADMP require developers to contribute towards infrastructure, amenities and facilities where the need is created through new development.
- 8.28. The original outline application for the residential scheme (ref: 14/00262/OUT) was granted subject to the completion of a Unilateral Undertaking that sought developer contributions through appropriate funding for improvements to Education, Public Transport, Play and Open Space and Affordable Housing.
- 8.29. A viability assessment has been submitted with this application, to demonstrate that the affordable housing provision previously agreed for the site is no longer viable. In addition the applicant has had problems with getting a Registered Provider to take on the units once constructed. The original scheme secured a provision of 40% of the total number of dwellings constructed which equated to 32 units, and comprising 75% social rented or affordable rented, and 25% intermediate housing.
- 8.30. The viability assessment has been independently assessed by a Council appointed viability assessor and there have been extensive discussions between the developer and the Council, in attempt to secure the best possible provision on site.

The revised offer is 16, 2 and 3 bedroom units for affordable rent on site. The Affordable Housing Officer has raised no objections to this figure, and it is considered that this secures the maximum amount of affordable housing that the site can viably support.

- 8.31. The application for the erection of a new dwelling at the north-west corner of the site (ref: 17/00130/FUL) would result in an additional contribution towards Play and Open Space. In the interest of clarity, all matters above are to be included under the same Section 106 agreement, which would tie together all applications (proposed and previously granted).

Other matters

- 8.32. In regard to the comments concerning the noise, dust and disturbance caused through the construction of the development, all construction carried out is to be in accordance with the submitted and approved Construction Management Plan attached to condition 17, and in accordance with the hours specified in condition 4 of the original outline permission for the site (ref: 14/00262/OUT).
- 8.33. In regard to the comments stating that Stoke Golding does not require any more houses and that the development would result in an increase to the number of dwellings on site, this is dealt with within a separate application for planning permission (ref: 17/00130/FUL).
- 8.34. In regard to the comments concerning the views of the development from neighbouring properties, this is not a planning consideration and cannot be taken afforded any weight.
- 8.35. In regard to the comments regarding the lack of justification for the proposed amendments to the previously approved scheme, the applicant has the right to propose to vary any permission granted.
- 8.36. In regard to the comments concerning the developer's intention to expand the residential site to the north, any application received would be considered by the Local Planning Authority. Any permission granted would be subject to all planning matters being suitably addressed.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. The proposed variation of condition 1 of planning permission 16/00212/CONDIT would be considered acceptable. The application is considered to be in accordance with Policies DM1, DM3, DM4, DM7, DM10, DM17 and DM18 of the SADMP, and the overarching principles of the NPPF, and is therefore recommended for approval, subject to conditions.

11. Recommendation

11.1. Grant planning permission subject to:

- The prior completion of a Section 106 agreement to amend the quantity and tenure mix of affordable housing provision on the site, and link the proposed development with the planning permissions listed below. All other requirements of the current legal document completed under the original outline planning permission for the scheme (ref: 14/00262/OUT) shall be carried forward.
 - 14/00262/OUT
 - 15/00073/REM
 - 16/00342/CONDIT
 - 16/00472/CONDIT
 - 16/00212/CONDIT
 - 16/01058/CONDIT
 - 17/00130/FUL
- Planning conditions outlined at the end of this report.

- 11.2. That the Head of Planning and Development be given powers to determine the final detail of planning conditions.

- 11.3. That the Head of Planning and Development be given delegated powers to determine the final terms of the S106 agreement including trigger points and claw back periods.

11.4. Conditions and Reasons

1. The development approved shall be carried out in accordance with the submitted details as follows:-

Dwg No. E169/P/PL01 Rev X- Site Layout Plan (received 27 March 2017)
Dwg No. HRSG-OS Rev A - Site Location Plan
Dwg No. E169/P/MP01 Rev D - Materials Plan
Dwg No. E3373/501 Rev C - Drainage Strategy Plan
Dwg No. MM2633.01_B - Proposed Landscaping Plan
Dwg No. E169/P/BS01 Rev B - Bedroom Size Plan
Dwg No. E169/A/AH01 - Affordable Housing Plan
Dwg No. Q3492_D - Proposed LEAP Plan
Dwg No. E169/P/TP01 Rev B - Tracking Plan
Dwg No. 2631.TPP Rev B - Proposed Tree Protection Plan
Dwg No. E169/P/GAR_01 - Garage Plans and Elevations
Dwg No. E149/P/CARP_01 - Carport Plans and Elevations
Dwg No. E169/P/BIN_01 - Binstore Plans and Elevations
Dwg No. E169/P/HTAPP/01 - Appleton 2 House Type Elevations
Dwg No. E169/P/HTAPP/02 - Appleton 2 House Type Floor Plans
Dwg No. E169/P/HTDA/01 - Dalton House Type Elevations
Dwg No. E169/P/HTDA/02 - Dalton House Type Floor Plans
Dwg No. E169/P/HTDUN/01 - Dunham 2 House Type Elevations
Dwg No. E169/P/HTDUN/02 - Dunham 2 House Type Floor Plans

Dwg No. E169/P/HTRUF/01 - Rufford 2 Plus House Type Elevations
 Dwg No. E169/P/HTRUF/02 - Rufford 2 House Type Floor Plans
 Dwg No. E169/P/HTCAP/01 Rev A - Capesthorpe House Type Elevations
 Dwg No. E169/P/HTCAP/02 - Capesthorpe House Type Floor Plans
 Dwg No. E196/P/HTMAL/01 - Malham House Type Elevations
 Dwg No. E196/P/HTMAL/02 - Malham House Type Floor Plans
 Dwg No. E169/P/HTBRA/01 - Bramhall House Type Elevations
 Dwg No. E169/P/HTBRA/02 - Bramhall House Type Floor Plans
 Dwg No. E196/P/HTWIL/01 - Willington House Type Elevations
 Dwg No. E169/P/HTWIL/02 - Willington House Type Floor Plans
 Dwg No. E169/P/HTWIN/01 - Winster House Type Elevations
 Dwg No. E169/P/HTWIN/02 - Winster House Type Floor Plans
 Dwg No. N196/P/HTMOR/01 - Moreton 2 House Type Elevations
 Dwg No. E169/HTMOR/02 - Moreton 2 House Type Floor Plans
 Dwg No. E196/P/HTSTRA/01 - Stratford A House Type Elevations
 Dwg No. E169/P/HTSTRA/02 - Stratford A House Type Floor Plans
 Dwg No. E196/P/HTPIC/01 - Pickmere House Type Elevations
 Dwg No. E169/P/HTPIC/02 - Pickmere House Type Floor Plans
 Dwg No. E196/P/HTSTA/01 - Staunton House Type Elevations
 Dwg No. E196/P/HTSTA/02 - Staunton House Type Floor Plans
 Dwg No. E196/P/HTEAT/01 - Eaton House Type Elevations
 Dwg No. E196/P/HTEAT/02 - Eaton House Type Floor Plans
 Dwg No. E196/P/HTSEV/01 - Severn House Type Elevations
 Dwg No. E196/P/HTSEV/02 - Severn House Type Floor Plans
 Dwg No. E196/P/HTWILSA/01 - Willington Hip House Type Elevations
 Dwg No. E196/P/HTWILSA/02 - Willington Hip House Type Floor Plans
 Dwg No. E169/P/HTBUFG/01 Rev A - Budworth FG House Type Elevations
 Dwg No. E169/P/HTBUFG/02 - Budworth FG House Type Floor Plans
 Dwg No. E169/P/HTWHA/01 - Wharfedale House Type Elevations
 Dwg No. E169/P/HTWHA/02 - Wharfedale Floor Plans
 Dwg No. N196/P/HTMORSA/01 - Moreton 2 SA House Type Elevations
 Dwg No. E169/HTMORSA/02 - Moreton 2 SA House Type Floor Plans
 Dwg No. E169/P/HTWILSA/02 - Willington SA House Type Floor Plans
 Dwg No. N196/P/HTWILSA/01 - Willington SA House Type Elevations
 Dwg No. N196/P/HTSTADG/01 - Stratford A DG House Type Elevations
 Dwg No. E169/HTSTADG/02 - Stratford A DG House Type Floor Plans
 Dwg No. N196/P/HTSTDG/01 - Stratford DG House Type Elevations
 Dwg No. E169/HTSTADG/02 - Stratford A DG House Type Floor Plans
 Dwg No. E169/P/HTCHSA/01 - Chatsworth SA House Type Elevations
 Dwg No. E169/P/HTCHSA/02 - Chatsworth SA House Type Floor Plans
 Dwg No. E169/P/HTBRE/01 - Brereton House Type Elevations
 Dwg No. E169/P/HTBRER/02 - Brereton House Type Floor Plans
 Dwg No. E169/P/HTBUDX/01 - Budworth Extended House Type Elevations
 Dwg No. E169/P/HTBUDX/02 - Budworth Extended House Type Floor Plans
 Dwg No. E169/P/HTCHAX/01 - Chatsworth Extended House Type Elevations
 Dwg No. E169/P/HTBUDX/02 - Chatsworth Extended House Type Floor Plans
 Dwg No. E169/P/HTCHAXE/01 - Chatsworth Extended End House Type Elevations
 Dwg No. E169/P/HTBUDXE/02 - Chatsworth Extended End House Type Floor Plans
 Dwg No. E169/P/HTR1/01 - R1 1 Bed House Type Floor Plans
 Dwg No. E169/P/HTR1/02 - R1 1 Bed House Type Floor Plans

Reason: To ensure a satisfactory impact of development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

11.5. **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. This permission is subject to a Section 106 agreement.

Planning Committee 15 August 2017
Report of the Head of Planning and Development

Planning Ref: 17/00130/FUL
Applicant: Morris Homes Ltd
Ward: Ambien

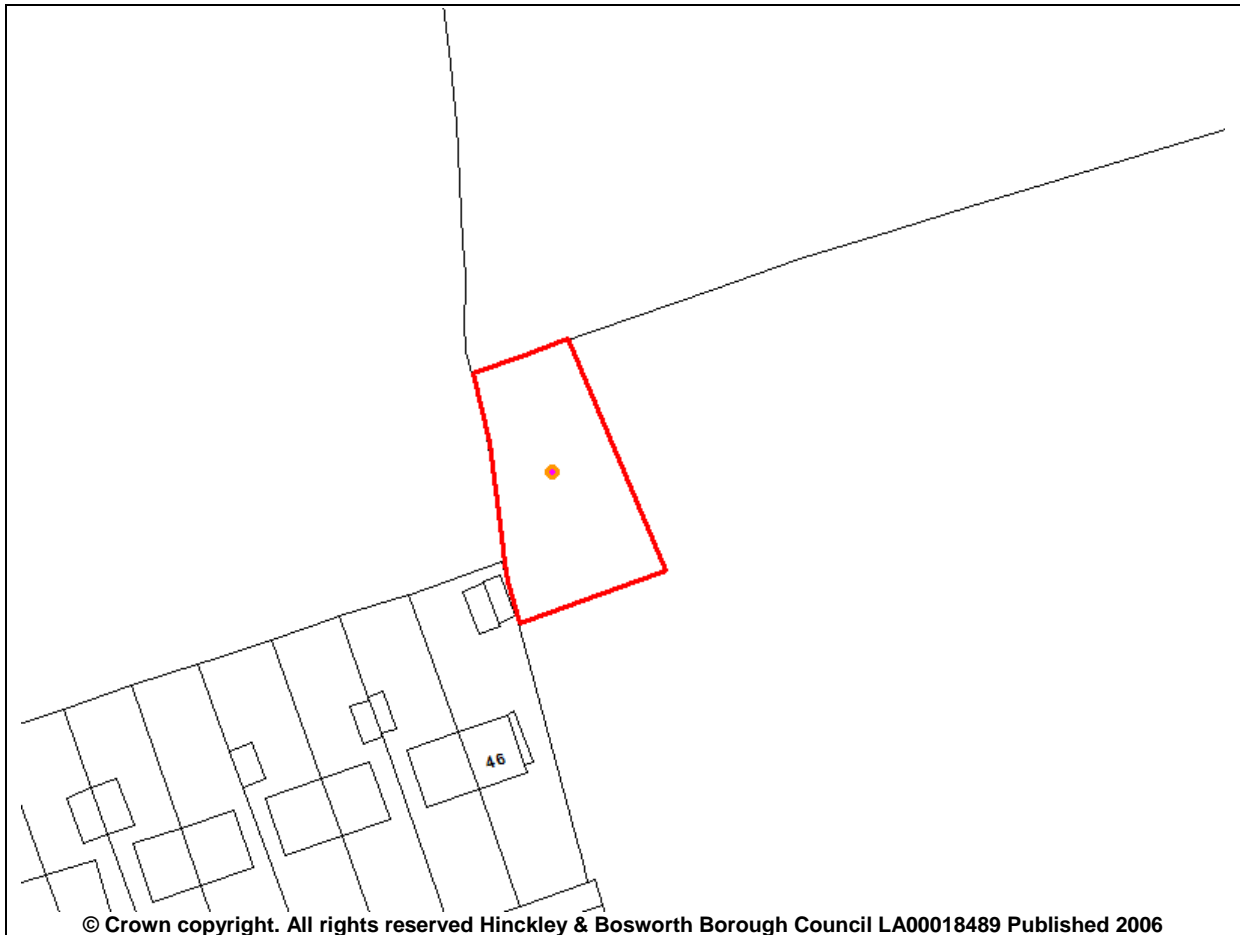


Hinckley & Bosworth
Borough Council

A Borough to be proud of

Site: Land Off Hinckley Road Stoke Golding

Proposal: Erection of one new dwelling and detached double garage



1. Recommendations

1.1. Grant planning permission subject to:-

- The prior completion of a Section 106 agreement to amend the quantity and tenure mix of affordable housing provision on the wider site, and link the proposed development with the planning permissions listed below. All other requirements of the current legal document completed under the original outline planning permission for the wider scheme (ref: 14/00262/OUT) shall be carried forward.
 - 14/00262/OUT
 - 15/00073/REM
 - 16/00342/CONDIT
 - 16/00472/CONDIT
 - 16/00212/CONDIT

- 16/01058/CONDIT
 - 17/00130/FUL
- Planning conditions outlined at the end of this report.
- 1.2. That the Head of Planning and Development be given powers to determine the final detail of planning conditions.
 - 1.3. That the Head of Planning and Development be given delegated powers to determine the final terms of the S106 agreement including trigger points and claw back periods.

2. Planning Application Description

- 2.1. This application seeks full planning permission for the erection of one new dwelling with associated landscaping. The scheme would comprise a two and a half storey, detached house with a detached double garage to serve this dwelling.
- 2.2. The site forms part of a larger residential site, that was granted outline planning permission (ref: 14/00262/OUT) on 27 January 2015 and subsequent approval of reserved matters (ref: 15/00073/REM) on 23 December 2015.
- 2.3. There is a separate planning application for the variation of condition 1 of the previous planning permission granted for the wider site, to amend the layout of the wider site (our ref: 16/01058/CONDIT), and to amend the affordable housing provision on site.

3. Description of the Site and Surrounding Area

- 3.1. The application site comprises a plot of land situated in the North West corner of a residential site that is currently under construction. The site is bounded by open fields to the north and west.
- 3.2. The site is situated within the settlement boundary of Stoke Golding.
- 3.3. The site would be accessible from an access proposed under a separate application 16/01058/CONDIT, which leads from the access previously approved under 14/00262/OUT, off Hinckley Road.

4. Relevant Planning History

10/00408/OUT	Residential development (outline - access only)	Refused Appeal Dismissed	20.08.2010 10.05.2010
14/00262/OUT	Residential development (outline - access only)	Permitted	27.01.2015
15/00073/REM	Application for approval of reserved matters (appearance, landscaping, layout and scale) of outline planning permission 14/00262/OUT for residential development of 80 dwellings	Approval of Reserved Matters	23.12.2015

16/00212/CONDIT	Removal of condition 2 of planning permission 15/00073/REM to allow for the removal of an oak tree NT1	Permitted	04.11.2016
16/00342/CONDIT	Variation of condition 1 of planning permission 15/00073/REM to amend positioning of plots 75-80 due to the Water Main Easement with plot 76 house type substituted	Permitted	21.07.2016
16/00472/CONDIT	Variation of condition 1 of planning permission 15/00073/REM to amend plots 42-44 from 3 dwellings to 5 dwellings	Permitted	06.09.2016

5 Publicity

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

5.2. No representations have been received from members of the public for this application.

6. Consultation

6.1. Stoke Golding Parish Council has objected to the application, raising the following concerns:-

- 1) There is no requirement for more housing in Stoke Golding
- 2) Existing village facilities and services are unable to sustain new homes
- 3) Would result in an increase to the number of dwellings on site

6.2. No objections have been received from:-

Environmental Health (Pollution)
Leicestershire County Council (Drainage)
Leicestershire County Council (Highways)
Leicestershire County Council (Ecology)
Leicestershire County Council (Archaeology)
Affordable Housing Officer
Stoke Golding Heritage Group
Street Scene Services (Waste)

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 15: Affordable Housing
- Policy 19: Green Space and Play Provision

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- 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) (2012)
- Planning Practice Guidance (PPG)

7.4. Supplementary Planning Guidance/ Documents

- Affordable Housing (SPD)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon the highway
- Developer contributions

Assessment against strategic planning policies

8.2. Paragraphs 11 - 13 of the National Planning Policy Framework (NPPF) state that the development plan is the starting point for decision taking and that the NPPF is a material consideration in determining applications. Policy DM1 of the SADMP and Paragraph 14 of the NPPF set out a presumption in favour of sustainable development, and states that development proposals that accord with the development plan should be approved.

8.3. As of 1 September 2014, the minimum housing requirement for Stoke Golding has been met. Therefore, the development proposed within the current application would exceed the minimum housing requirement in Stoke Golding. Comments have been received stating that the development would be unnecessary given that there is no requirement for additional housing in Stoke Golding, and objecting to the provision of another dwelling in the area. However, the figure is a minimum figure and does not prevent the granting of permission for additional residential development within the settlement limits which are in accordance with the Development Plan.

8.4. The development plan in this instance consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).

8.5. Stoke Golding is defined as a Key Rural Centre within Policy 7 of the Core Strategy, which seeks to support housing development within settlement boundaries.

- 8.6. The site is located within a sustainable location within the settlement boundary of Stoke Golding. The site would be bounded by residential properties to the east, south and south-west, and is within the immediate vicinity of existing bus routes, schools, local shops and other services.
- 8.7. The proposal would contribute to the social role of sustainable development by providing 1 new dwelling towards the housing supply within the Borough. The construction of the development and its future ongoing occupation would contribute to the economic role of sustainable development by supporting the local economy both during construction and by the use of local facilities by future residents. Further, given that the siting of the plot on an existing residential site, the proposal would not result in any additional impacts on the natural or built environment than that has been previously approved.
- 8.8. The principle of residential development of the site is considered to be sustainable and therefore acceptable in terms of strategic planning policies subject to all other planning matters being satisfactorily addressed.

Impact upon the character of the area

- 8.9. Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.10. The proposed design of the dwelling would be Stratford A House Type, which is a large, detached, two and a half storey dwelling. There are other dwellings approved within the wider residential scheme that also incorporate the Stratford A House Type design, and therefore the proposed dwelling would relate well with the existing site in this respect.
- 8.11. The style of dwelling would be in keeping with the other large, detached dwellings along the northern boundary of the wider residential site, providing an attractive outlook from any views from the north. The siting of these other dwellings is subject to the separate application 16/01058/CONDIT.
- 8.12. Further, the proposed detached garage would be in keeping with other detached garages within the wider residential site.
- 8.13. It is therefore considered that the proposal would be in keeping with the character and appearance of the wider residential site, and would be in accordance with Policy DM10 of the SADMP in this respect.

Impact upon neighbouring residential amenity

- 8.14. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.15. The existing residential property along the south-east boundary of the site is No. 46 Sherwood Road. The layout of the proposal is such that the proposed dwellinghouse would be sited approximately 11 metres from this shared boundary, and the proposed garage sited within 1 metre of the shared boundary. Notwithstanding these distances, the majority of the development would be sited to rear of the rear boundary of No.46. Notwithstanding the close proximity of the proposed garage with the shared boundary, the garage would be single storey in nature and would incorporate a hipped roof. Therefore, given the proposed siting, design and scale of development, it is not considered that the proposed dwelling and garage would result in any adverse overshadowing, overbearing or overlooking impacts to this neighbouring property.
- 8.16. The neighbouring properties to the east and south of the site are subject to the separate application 16/01058/CONDIT. By virtue of the proposed siting of the

dwelling and garage, it is not considered to result in any adverse overshadowing or overbearing impacts to any future neighbouring properties in this respect.

- 8.17. The proposed design of the dwelling would result in three bedroom windows facing the rear elevations of the residential properties to the south of the site. However, given the proposed separation distance of approximately 19.5 metres between the dwellings, it is not considered that any overlooking impacts to these properties would be adverse.
- 8.18. The development would therefore accord with Policy DM10 of the SADMP in this respect.

Impact upon highway safety

- 8.19. Policy DM17 of the SADMP states that all new development should in be in accordance with the highway design standards. Policy DM18 ensures that development provides appropriate parking provision.
- 8.20. Leicestershire County Council (Highways) has raised no objections to the application. The proposed access to the dwelling is subject to the approval of a separate application (ref: 16/01058/CONDIT). It is not considered that an erection of an additional dwelling on the site would result in any adverse impacts to highway or pedestrian safety.
- 8.21. The proposed layout demonstrates that there would be a minimum provision of three off-street car parking spaces to serve the proposed dwelling. It is, therefore considered that the development would be in accordance with Policies DM17 and DM18 of the SADMP.

Developer contributions

- 8.22. Policy 15 of the Core Strategy sets out the provision of affordable housing for new development. The Affordable Housing SPD provided further information on this.
- 8.23. Policy 19 of the Core Strategy and Policy DM3 of the SADMP require new residential development to contribute towards Green Space and Play Provision.
- 8.24. The original outline application for the residential scheme (ref: 14/00262/OUT) was granted subject to the completion of a Unilateral Undertaking that sought developer contributions through appropriate funding for improvements to Education, Public Transport, Play and Open Space, and an Affordable Housing contribution.
- 8.25. Comments have been received stating that the current village facilities and services cannot sustain additional housing. However, the proposal is for one additional dwelling only, which would not significantly impact on the facilities and services within the area. There would be a requirement to increase the Play and Public Open Space provision in light of the additional dwelling.
- 8.26. A Section 106 agreement is proposed for the separate application (our ref: 16/01058/CONDIT) to amend the affordable housing provision on the wider site. Therefore, in the interest of clarity and simplicity, all matters above shall be included under the same agreement, to tie together all development (proposed under the current application and 16/01058/CONDIT) and all previous planning permissions.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.

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

10. Conclusion

10.1. The application site is in a sustainable location within a reasonable distance of services and facilities located within Stoke Golding. The proposed dwelling and garage would be in keeping with the character of the wider residential area and would not result in any significant adverse impacts on the privacy or amenity of neighbouring properties. The proposed development would therefore be in accordance with Policies 7 and 19 of the adopted Core Strategy, Policies DM1, DM3, DM10, DM17 and DM18 of the adopted SADMP and the overarching principles of the NPPF and is therefore recommended for approval subject to conditions.

11. Recommendation

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

- The prior completion of a Section 106 agreement to amend the quantity and tenure mix of affordable housing provision on the wider site, and link the proposed development with the planning permissions listed below. All other requirements of the current legal document completed under the original outline planning permission for the wider scheme (ref: 14/00262/OUT) shall be carried forward.
 - 14/00262/OUT
 - 15/00073/REM
 - 16/00342/CONDIT
 - 16/00472/CONDIT
 - 16/00212/CONDIT
 - 16/01058/CONDIT
 - 17/00130/FUL
- Planning conditions outlined at the end of this report.

11.2. That the Head of Planning and Development be given powers to determine the final detail of planning conditions.

11.3. That the Head of Planning and Development be given delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

11.4. 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 51 of 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 as follows: Drg No. E169/P/GAR_01 (Garage Plans and Elevations), E196/P/HTSTRA/01 (Stratford A House Type Elevations), E169/P/HTSTRA/02 (Stratford A House Type Floor Plans), and LOC 02 (Location Plan) received on 10 February 2017, as well as Drg No. E169/P/PL02 Rev A (Planning Layout) received on 27 March 2017.

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

3. Notwithstanding the submitted plans no development shall commence until full details of both hard and soft landscape works have first been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- Means of enclosure and boundary treatments
- Hard surfacing materials
- Schedules of plants, noting species, plant sizes, planting plans and proposed numbers/densities where appropriate
- Implementation programme

Reason: To enhance the appearance of the development and to protect the amenity of neighbouring properties, to accord with Policy DM10 of the Site Allocations and Development Management Policies DPD.

4. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details under Condition 3 shall be carried out during the first available planting and seeding seasons (October - March inclusive) following the approval of the landscaping scheme. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of visual amenity, and to ensure that the work is carried out within a reasonable period and thereafter maintained, to accord with Policy DM10 of the Site Allocations and Development Management Policies DPD.

5. Prior to the commencement of development, details of the types and colours of materials to be used on the external elevations of the proposed dwelling and garages shall be submitted to 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 to accord with Policy DM10 of the Site Allocations and Development Management Policies DPD.

6. No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted in writing to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with approved proposed ground levels and finished floor levels.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD.

7. Before first occupation of the dwelling hereby approved, its access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard

bound permeable material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.

Reason: To ensure that the development has adequate parking and turning space, and to reduce the occurrence of on-street parking, in line with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD.

11.5. 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. 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.
3. 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).
4. This permission is subject to a Section 106 agreement.

This page is intentionally left blank

PLANNING APPEAL PROGRESS REPORT

SITUATION AS AT: 04.08.17

WR - WRITTEN REPRESENTATIONS

IH - INFORMAL HEARING

PI - PUBLIC INQUIRY

FILE REF	CASE OFFICER	APPLICATION NO	TYPE	APPELLANT	DEVELOPMENT	SITUATION	DATES
	AC	17/00543/CONDIT (PINS Ref 3181442)	WR	Mr Rick Morris TM Builders Tony Morris Builders & Co 80 Wood Street, Earl Shilton LEICESTER LE9 7ND	Cedar Lawns Church Street Burbage (Removal of condition 17 of planning permission 16/00441/FUL to remove the requirement for a brick wall to be constructed between plot 1 and the rear of gardens 66-72 Church Street)	Awaiting Start Date	
	SF	17/00163/OUT (PINS Ref 3179738)	WR	Mr Paul Mac 44 Station Road Elmesthorpe	52 Heath Lane Earl Shilton Leicester (Erection of 3 dwellings (outline - access, layout and scale only))	Awaiting Start Date	
	CA	17/00055/FUL (PINS Ref 3179549)	WR	Mr Daniel Cliff 223 Markfield Road Groby	223 Markfield Road Groby (Siting of a storage container)	Awaiting Start Date	
17/00015/PP	JB	17/00305/FUL (PINS Ref 3178033)	WR	Invicta Universal Ltd 39 Station Road Desford	Land North East Of Old White Cottage 2 Newbold Road Desford (Erection of two detached dwellings and associated access and landscaping (Revised scheme))	Appeal Valid Questionnaire Statement of Case Final Comments	18.07.17 08.08.17 05.09.17 19.09.17
17/00014/PP	RWE	16/00270/FUL (PINS Ref 3176703)	WR	Walrus (Vinyl Revival) Ltd c/o Agent	Newhaven 12 Wykin Road Hinckley (Erection of 7 dwellings with associated access)	Start Date Statement of Case Final Comments	10.07.17 14.08.17 28.08.17
17/00009/PP	RWR	16/01148/FUL (PINS Ref 3175878)	WR	Mr Nigel Foulds	Hill Farm, Markfield Lane, Botcheston, LE9 9FH (Erection of one detached dwelling - single storey bungalow)	Start Date Awaiting Decision	14.06.17

17/00011/PP	CA	16/00944/FUL (PINS REF 3174674)	WR	Mr Patrick Godden c/o Agent	Upper Grange Farm 1A Ratby Lane Markfield (Erection of new dwelling and conversion of existing hydro pool to garages)	Start Date Final Comments	16.06.17 11.08.17
17/00013/PP	RWE	16/00726/OUT (PINS Ref 3174326)	WR	Ms J Perrin c/o Agent	65 Coventry Road Burbage Hinckley (Demolition of no. 65 Coventry Road and erection of 13 no. dwellings (outline - access, layout and scale))	Start Date Final Comments	29.06.17 17.08.17
17/00012/PP	JB	16/00757/FUL (PINS Ref 3173503)	WR	Mrs Rita Morley 5 Whitehouse Close Groby	5 White House Close Groby (Erection of 1 dwelling (resubmission))	Start Date Final Comments	26.06.17 14.08.17
17/00008/PP	SF	16/01003/OUT (PINS Ref 3173191)	WR	Mr & Mrs Raynor Hill Rise Station Road Desford	Land Adj Hill Rise Station Road Desford (Two new dwellings (outline - access and layout))	Start Date Awaiting Decision	17.05.17

Decisions Received

17/00010/FTPP	CA	17/00263/HOU (PINS Ref 3176186)	WR	Mr. G. Walsh	77 Outlands Drive Hinckley (Single storey front and rear extensions and first floor extension above existing garage (Re-submission))	DISMISSED	20.07.17
16/00034/PP	CA	15/01243/COU (PINS Ref 3154702)	IH	Mr P Reilly and Others Good Friday Caravan Site Bagworth Road Barlestone CV13 0QJ	Good Friday Caravan Site Bagworth Road Barlestone (Retention of five traveller pitches)	DISMISSED	12.06.17
16/00037/PP	RWR	16/00113/COU (PINS Ref 3157918)	IH	Mr Fred Price c/o Agent	Land Adj. Hissar House Farm Leicester Road Hinckley LE9 8BB	DISMISSED	12.06.17
17/00004/PP	JB	16/00674/OUT (PINS Ref 3167591)	WR	Mr & Mrs Payne Robert and Linda Oak Farm Lycheigate Lane Aston Flamville	Oak Farm Lycheigate Lane Burbage (Erection of one dwelling (outline - access, layout and scale))	DISMISSED	16.06.17

17/00007/COND	CA	16/00973/HOU (PINS Ref 3171542)	WR	Mr P Lee Hideaway Witherley Atherstone	Hideaway 4B Hunt Lane Witherley (Erection of a single storey link between the garage and the dwelling)	ALLOWED	23.06.17
17/00006/PP	CA	16/00592/OUT (PINS Ref 3169951)	WR	Mr William Richardson 295 Main Street Stanton Under Bardon LE67 9TQ	Land Adjacent To 5 Thornton Lane Stanton Under Bardon (Erection of up to 2 dwellings (outline - access only))	DISMISSED	11.07.17

Rolling 1 April 2017 - 4 August 2017

Planning Appeal Decisions

No of Appeal Decisions	Allowed	Dismissed	Split	Withdrawn	Officer Decision			Councillor Decision			Non Determination		
					Allow	Spt	Dis	Allow	Spt	Dis	Allow	Spt	Dis
10	4	6	0	0	4	0	6	0	0	0	0	0	0

Enforcement Appeal Decisions

No of Appeal Decisions	Allowed	Dismissed	Split	Withdrawn
0	0	0	0	0

This page is intentionally left blank