

**Planning Committee 20 November 2018  
Report of the Interim Head of Planning**

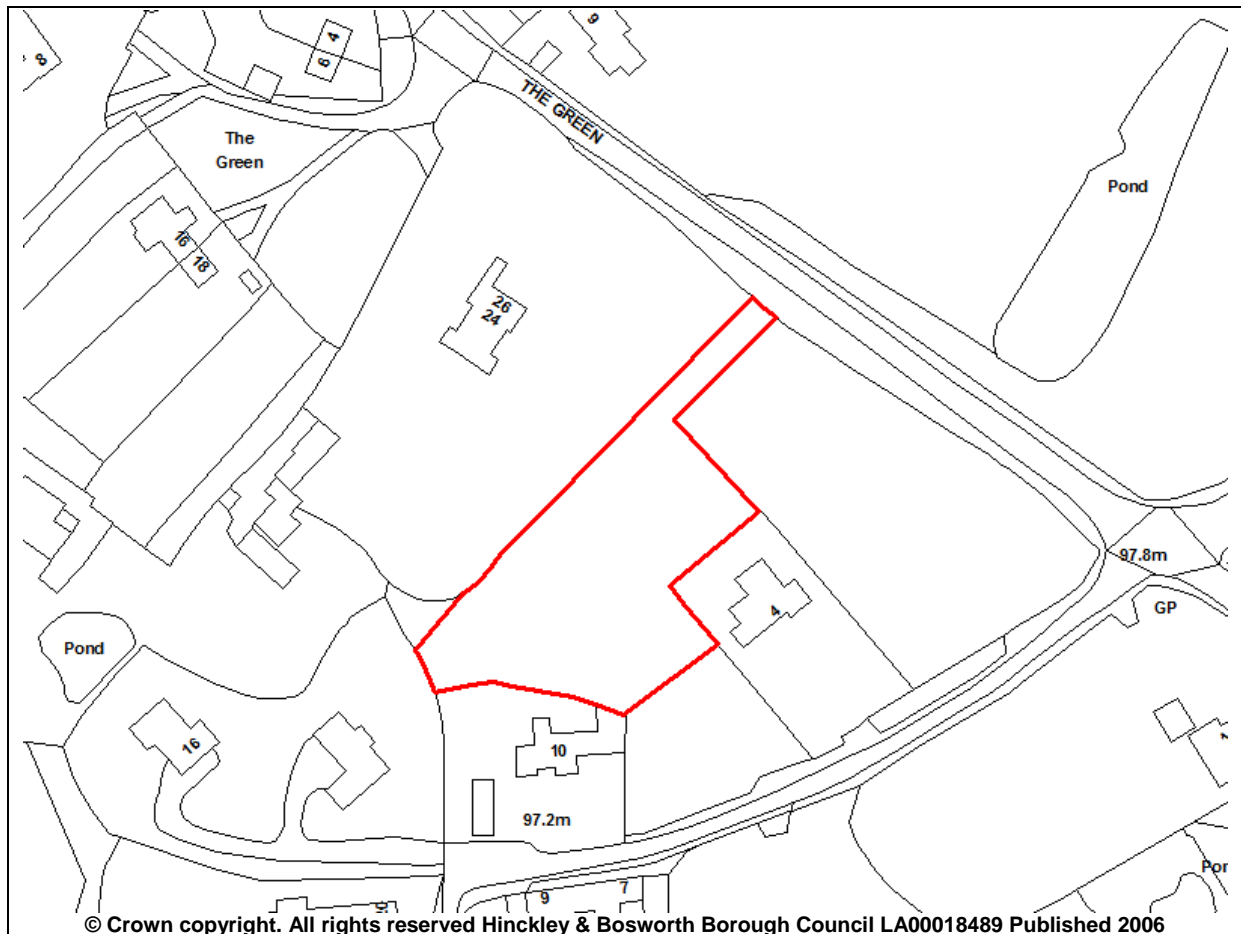


Hinckley & Bosworth  
Borough Council

**Planning Ref:** 18/00680/FUL  
**Applicant:** Mr A McCleish  
**Ward:** Twycross Sheepy & Witherley

**Site:** Ashcroft 4 Pipe Lane Orton On The Hill

**Proposal:** Erection of 2 dwellings (re-submission of 18/00221/FUL)



1. This application was taken to the previous Planning Committee on the 10 October 2018. Notwithstanding the officer's recommendation that permission be granted, members were minded to refuse the application.
2. Concerns were raised regarding the impact the additional parcel of land (not included within the previous scheme) would have upon the character of the conservation area, the lack of comments from the conservation officer and the final ridge heights of the dwellings in relation to no. 4 Pipe Lane.
3. It is indicated on the plans that the ridge heights of the dwellings are as follows, Plot 1 – 107.25, Plot 2 – 107.4. The ridge height of no. 4 Pipe Lane is 106.97. As such, in the context of the existing dwellings and the setting of the dwellings further to the west than no. 4, the difference in ridge heights is very minor and would be negligible in the context of the surrounding area. It should also be noted that the dwellings are to be dug down by approximately 0.8 metres.

4. Following feedback received from members at Planning Committee and subsequent discussion with officers, the applicant has submitted amended plans which alter the access provisions serving the two dwellings, reducing the level of hardstanding within the concerned area and partly proposing to use a grasscrete style reinforcement system. No other plans or alterations were submitted and a re-consultation was subsequently carried out.
5. The HBBC Conservation Officer has also provided comments on the scheme which was originally reported to the Planning Committee on 10 October. The comments submitted are supportive of the scheme and state that 'the proposal would preserve the significance of the conservation area'. Following the submission of the aforementioned plan, HBBC Conservation Officer has stated that the further reduction of hardstanding within this area, use of grasscrete and additional landscaping is welcomed, further preserving the character of the conservation area.
6. The development is very similar to the previously approved scheme, with the inclusion of the additional parcel of land immediately behind no. 4 and the alternative design detailing and siting of the dwellings. It is therefore considered that the alteration between the schemes is very minor and following the submission of an amended plan reduces the level of hardstanding and built form even further. Due to the land levels, this area of additional driveway to the front of plot 1 would not be visible from The Green, especially with the level of screening and planting proposed.
7. Overall it is considered that the revised scheme would further preserve the character of the conservation area in accordance with Policies DM10, DM11 and DM12 of the SADMP.
8. Following the submission of amended plans to address issues identified at the previous Planning Committee meeting, the recommendations to Planning Committee do not alter from those identified in the previous report to committee and the proposal is considered acceptable in planning terms and recommended for approval subject to conditions, amended from the previous report to refer to the amended plans submitted.
9. **Grant planning permission** subject to:
  - Planning conditions outlined at the end of this report.
- 9.1. That the Interim Head of Planning be given powers to determine the final detail of planning conditions.
- 9.2. **Conditions and Reasons**
  1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To comply with the requirements of Section 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 drg. no. 17 75 06  
received by the Local Planning Authority on 9 July 2018

Site Elevations drg. no. 17 75 05C  
Plot 1 Elevations and Floor Plans drg. no. 17 75 02J  
Plot 2 Elevations and Floor Plans drg. no. 17 75 03J  
Proposed Landscaping drg. no. KL 382 001  
received by the Local Planning Authority on 3 August 2018

Site Plan drg. no. 17 75 01L

received by the Local Planning Authority on 1 November 2018

**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 Development Plan Document.

3. The materials to be used on the external elevations of the dwellings hereby permitted shall be carried out in in complete accordance with the submitted application details, as follows:

Proposed Cedar Timber Cladding Sample

Proposed K-Rend Smooth White Render Sample

Proposed Weinerberger Terca Pendleton Antique Facing Brick Sample

Proposed Window and Door Warmcore Aluminium Sample

received by the Local Planning Authority on 6 July 2018

Proposed Solar Panels GSE In-Roof Inset System Brochure

Proposed Solar Panels LG Cello Design Brochure

received by the Local Planning Authority on 27 July 2018

Proposed Hawkins Staffordshire Blue Clay Roof Tile Sample

received by the Local Planning Authority on 3 August 2018

**Reason:** To ensure the materials of the proposal are appropriate to its location and it does not detract from visual amenity of the area in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan.

4. The hard and soft landscaping scheme shall be carried out in accordance with the approved Proposed Landscaping drg. no. KL 382 001 received by the Local Planning Authority on 3 August 2018. All hard landscaping, planting, seeding or turfing shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted.

**Reason:** To ensure that the works are carried out within a reasonable time period and thereafter maintained to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document.

5. The development shall be carried out in accordance with the recommendations (section 5) contained within the submitted Protected Species Assessment dated January 2018 received by the Local Planning Authority on 9 July 2018.

**Reason:** To ensure appropriate conservation and enhancement of nature conservation features and protection of biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document.

6. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the approved Site Plan drg. no. 17 75 01L received by the Local Planning

Authority on 1 November 2018. Thereafter the onsite parking provision shall be so maintained in perpetuity.

**Reason:** To enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document.

7. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 5 metres behind the highway boundary and shall be hung so as not to open outwards.

**Reason:** To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway in the interests of highway and pedestrian safety to accord with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document.

8. Notwithstanding the submitted details, prior to commencement of development, full details of a scheme for the disposal of surface water and foul water on-site to serve the development hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details and completed before the development is first brought into use.

**Reason:** To ensure that the development is provided with a satisfactory means of surface water drainage to prevent flooding and minimise the risk of pollution by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

9. No demolition/development shall take place/commence until trees T1 (horse chestnut) and T9 (lime), identified on the submitted Tree Location Plan drg. no. 5273 FE TL 02 received by the Local Planning Authority on 9 July 2018, have been protected by the erection of temporary protective fences in accordance with the details included within the Tree Protection Method Statement received by the Local Planning Authority on 27 July 2018 and as shown on the approved Site Plan drg. no. 17 75 01L received by the Local Planning Authority on 1 November 2018. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5 cm or more shall be left unsevered.

**Reason:** The trees are important features in the area and 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 Site Allocations and Development Management Policies Development Plan Document.

10. The construction of the access drive where it crosses the root protection area to the north/west of T9 Lime tree shall be carried out in accordance with the submitted Construction of Access Drive Statement received by the Local Planning Authority on 27 July 2018 and as shown on the approved Site Plan

drg. no. 17 75 01L received by the Local Planning Authority on 1 November 2018.

**Reason:** The tree is an important feature in the area and 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 Site Allocations and Development Management Policies Development Plan Document.

11. As shown on approved plan, Plot 1 Elevations and Floor Plans drg. no. 17 75 02J received by the Local Planning Authority on 3 August 2018, the two first floor velux roof lights within the proposed north east facing entrance elevation on Plot 1 (serving the master bedroom) shall be constructed a minimum of 1.7 metres above the floor of the room which the window is installed and shall thereafter be permanently retained in this approved form.

**Reason:** To ensure the development does not have a detrimental impact upon neighbouring residential amenity to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

### 9.3. 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](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.
2. Prior to commencement of development contact should be made with Cadent to discuss the proposals.