

**Planning Committee 18 December 2018
Report of the Interim Head of Planning**

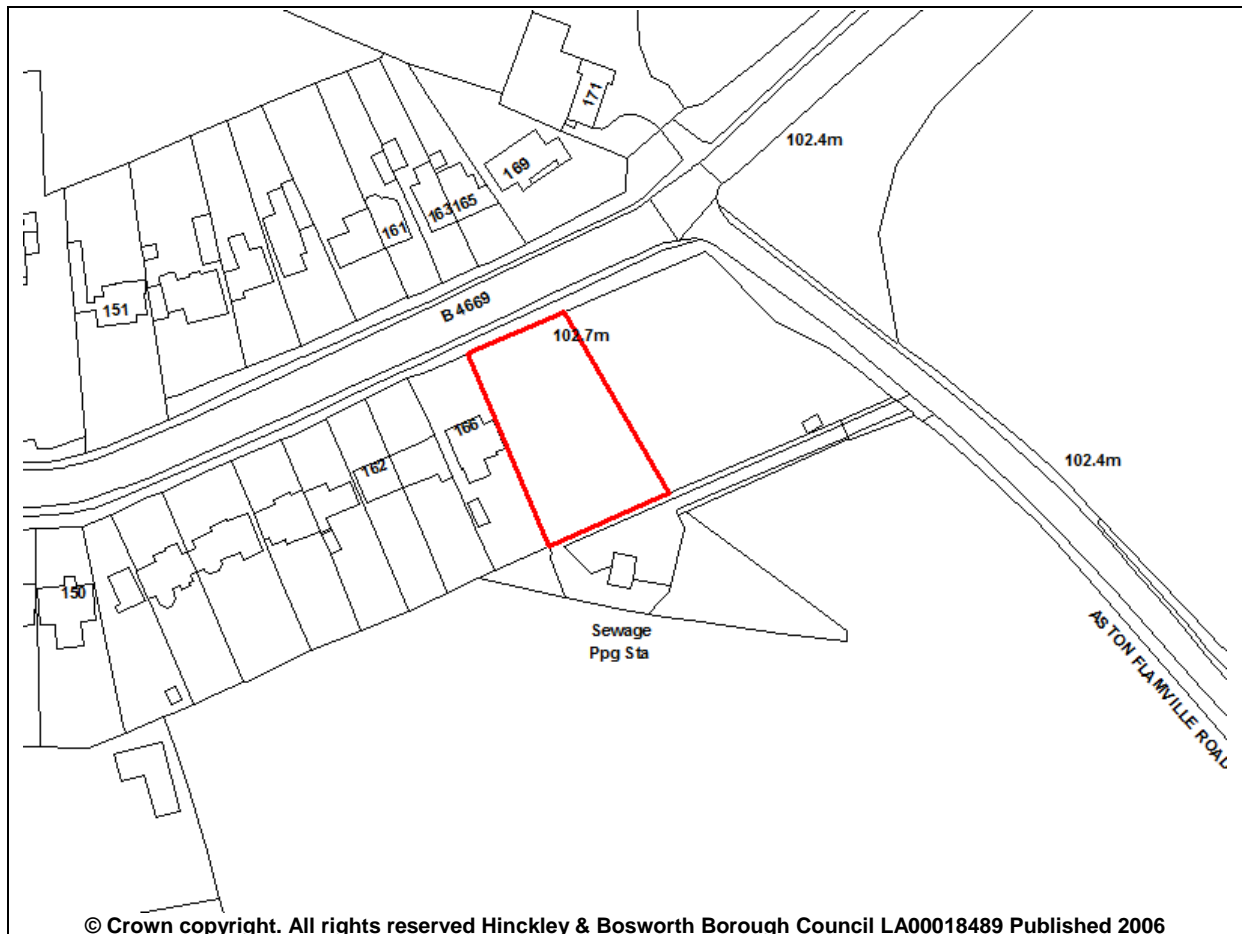


Hinckley & Bosworth
Borough Council

Planning Ref: 18/00903/FUL
Applicant: Mr & Mrs Mottram
Ward: Burbage St Catherines & Lash Hill

Site: Land Adjacent 166 Sapcote Road Burbage

Proposal: Erection of a two storey 4 bedroom dwelling.



1. This application was reported to the previous Planning Committee on the 20 November 2018. Notwithstanding the officer's recommendation that permission be granted, members were minded to refuse the application.
2. Concerns were raised regarding the impact of allowing the development on the character and appearance and intrinsic value of the countryside and its compliance with Policy DM4 of the SADMP.
3. The proposal has not been altered. 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 the conditions contained in the previous report attached at appendix A.

APPENDIX A

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

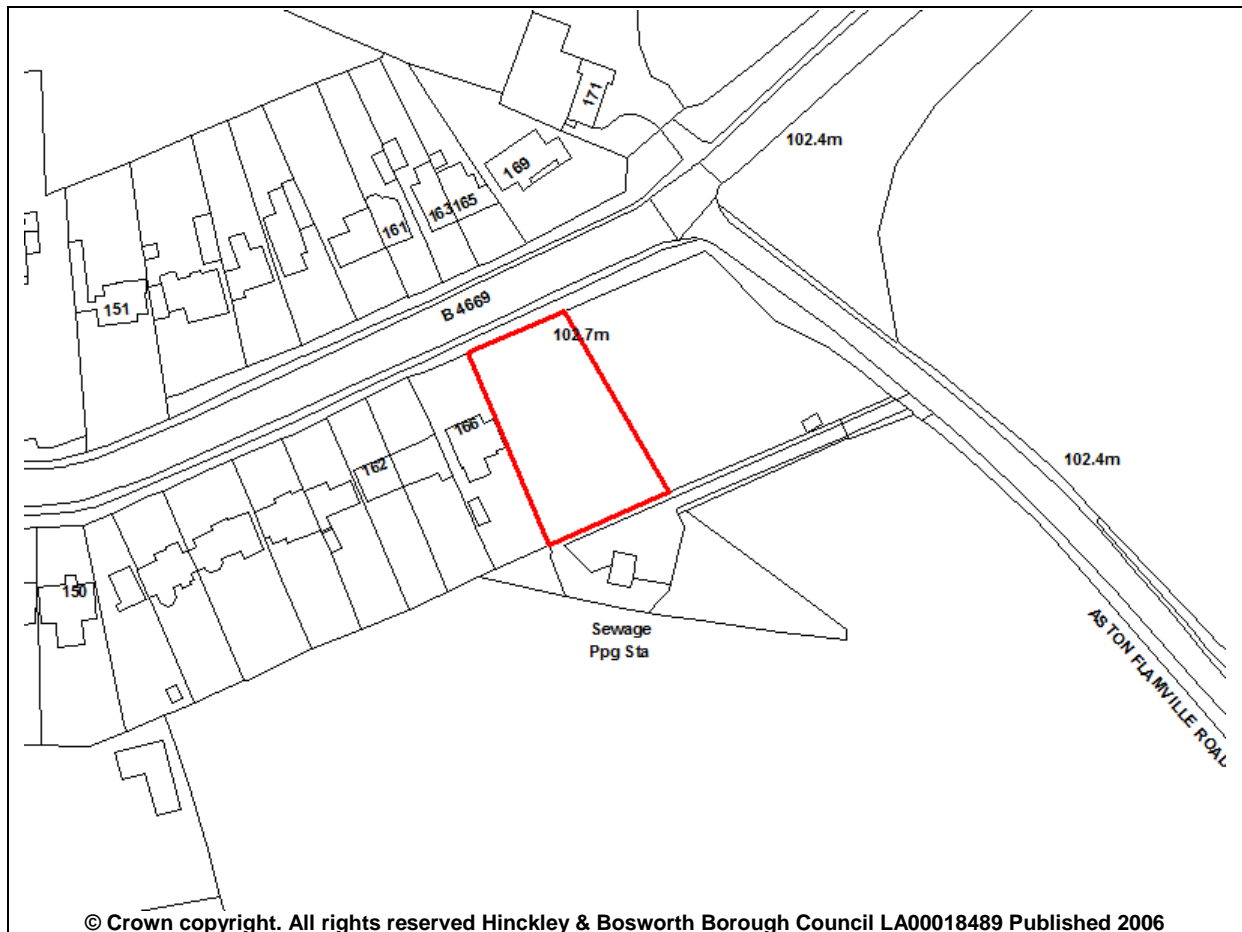
Planning Ref: 18/00903/FUL
Applicant: Mr & Mrs Mottram
Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: Land Adjacent 166 Sapcote Road Burbage

Proposal: Erection of a two storey 4 bedroom dwelling



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. This application seeks full planning permission for the erection of a two storey detached dwelling with single storey double garage attached. The dwelling would be sited in line with the existing properties along Sapcote Road. Amended plans have been submitted showing a reduction in the application site area to land immediately alongside no. 166 Sapcote Road and the re-siting of the dwelling within this area.

APPENDIX A

- 2.2. The site would be accessed via a driveway from Sapcote Road. An ash tree would need to be removed alongside the road to facilitate the construction of this access along with the cutting back of foliage.

3. Description of the Site and Surrounding Area

- 3.1. The application site lies to the east of a line of residential properties along Sapcote Road. On the opposite side of the carriageway and to the north of the site are residential properties. The applicant owns the site to the east which is shown to be planted as a landscape buffer. To the rear of the site lies a sewage pumping station which is bound by a high palisade fence.
- 3.2. The site fronts onto Sapcote Road. The area within which the application site is situated is characterised by ribbon development with frontages of housing facing towards Sapcote Road. There are a mix of dwelling types in the area which occupy large plots set back from the road.
- 3.3. The defined settlement boundary of Burbage forms the western boundary of the site and the application site and proposed access are located outside of the settlement boundary.

4. Relevant Planning History

18/00281/FUL	Erection of detached dwelling with attached double garage	Withdrawn	21.05.2018
--------------	---	-----------	------------

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. During the consultation process 13 letters from separate addresses were received in support. Following the receipt of amended plans 6 additional letters from separate addresses were received in support and 11 letters from separate addresses were received objecting to the proposal.
- 5.2. The letters of support relate to:
- 1) Self-build projects should be supported
 - 2) The proposal would not cause any harm to the countryside
 - 3) This land is wasteland and the proposal would improve its appearance
 - 4) This is a nice looking house and will complement the street scene
 - 5) The design and scale of the property would be in keeping with the character and appearance of the area
 - 6) This land should have been included in the settlement boundary as its part of the village
 - 7) The property would not cause any overshadowing, overlooking or loss of amenity
- 5.3. The letters of objection relate to:
- 1) The site lies outside the settlement boundary
 - 2) Brownfield sites should be developed first and the countryside should be preserved
 - 3) Building on this site could lead to the loss of more countryside to the south of the site
 - 4) The wildlife using the site should be conserved
 - 5) The small one bedroomed single storey bungalow to the west of the proposal would be completely swamped between two large buildings

APPENDIX A

- 6) No other bungalows along Sapcote Road are completely dominated by buildings either side in this way
- 7) The proposed property would block out natural light to the neighbouring bungalow's kitchen/diner and views from side windows
- 8) All windows and doors facing the adjoining bungalow and rear garden should be obscurely glazed
- 9) This site is close to the freight/rail depot which will have an impact on traffic generation
- 10) This site prevents Burbage joining with Aston Flamville
- 11) A residential scheme was refused at Sherbourne Road in 2016/17 as it was outside the settlement boundary
- 12) Building on land within the countryside would set a precedent for similar residential proposals

6. Consultation

6.1. A letter of objection has been received from Burbage Parish Council relating to the following issues:

- 1) The site lies outside of the parish settlement boundary
- 2) If the site had been located within the settlement boundary then the Parish Council would have raised no objections

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

HBBC Environmental Health (Pollution)
HBBC Waste Services
HBBC Environmental Health (Drainage)
Leicestershire County Council (Highways)

6.3. No response has been received from:

Severn Trent Water
Arboricultural Officer

7. Policy

7.1. Core Strategy (2009)

- Policy 4: Development in Burbage
- Policy 19: Green Space and Play Provision

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

- Policy DM1: Presumption in Favour of Sustainable Development
- 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. Emerging Burbage Neighbourhood Plan (BNP)

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2018)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Housing and Economic Development Needs Assessment (2017)
- Landscape Character Assessment (2017)

APPENDIX A

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Drainage
- Impact on Ecology

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3. The development plan in this instance consists of the Core Strategy (2009) and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016). The emerging Burbage Neighbourhood Plan (BNP) is still in development. The BNP has yet to be submitted to the LPA for comment prior to Examination by an Inspector and subsequent referendum. Therefore, very limited weight can be afforded to it at this time.
- 8.4. The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.
- 8.5. As of the 20 July 2018, following the publication of the Inspector's appeal decision on 'Land east of The Common, Barwell' (Appeal reference APP/K2420/W/17/3188948) the Council is able to demonstrate a 5 year housing land supply. However, the development plan policies relating to the supply of housing are now considered to be out-of-date and therefore the presumption in favour of sustainable development within paragraph 11 of the NPPF (2018) is triggered.
- 8.6. The site is situated outside the defined settlement boundary of Burbage which forms the western boundary of the application site and includes the land opposite the site to the north. Policy DM4 of the SADMP is therefore applicable and states that the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where:
- It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or

APPENDIX A

- It relates to the provision of stand-alone renewable energy developments in line with policy DM2: Renewable Energy and Low Carbon Development; or
 - It relates to the provision of accommodation for a rural worker in line with Policy DM5: Enabling Rural Worker Accommodation.
and:
 - It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and
 - It does not undermine the physical and perceived separation and open character between settlements; and
 - It does not create or exacerbate ribbon development;
- 8.7. The site does not fall under any of the categories identified in DM4 as sustainable development and there is a clear conflict therefore between the proposed development and the policy. This issue will need to be carefully weighed in the planning balance along with the detailed assessment of the other relevant planning considerations in this case.

Design and impact upon the character of the area

- 8.8. Policy 4 (Development in Burbage) in the Core Strategy states that to ensure development contributes to Burbage's character and sense of place the Council will protect and preserve the open landscape to the east which provides an important setting for the village and seek to enhance the landscape structure which separates the village from the M69 corridor as supported by the Hinckley & Bosworth Landscape Character Assessment.
- 8.9. Policy DM4 of the SADMP requires that development in the countryside does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside, does not undermine the physical and perceived separation and open character between settlements and does not create or exacerbate ribbon development.
- 8.10. 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. It should be noted that as the development is not considered to be sustainable development in the countryside in accordance with the first part of Policy DM4, any harm to the intrinsic value, beauty, open character and landscape character of the countryside would therefore be unjustified.
- 8.11. Objections to the application have been received on the grounds that the proposal would be detrimental to the character of the countryside.
- 8.12. The application site lies within the Burbage Common Rolling Farmland in the Hinckley and Bosworth Borough Landscape Character Assessment (2017) (LCA) where smaller scale pasture fields are common around the settlement edges. Land uses are characterised as being very mixed with uses often related to the adjacent urban areas. Part of the application site comprises of an undeveloped paddock which is in an untidy state. Although located within the countryside, to the east and south of the application site are existing residential dwellings. These residential dwellings are located within the settlement boundary for Burbage. Open agricultural fields do lie to the east and south of the site. However, Aston Flamville Road forms a physical barrier to the east of the site along with the location of the sewage treatment plant and its vehicular access which forms a physical barrier to the south of the site.
- 8.13. The site is situated within a prominent position along Sapcote Road and lies within the area to the east of Burbage which is characterised in the LCA as providing a rural setting to this historic settlement. The existing boundary treatment which

APPENDIX A

comprises of mature trees and hedgerows along the two road boundaries do shield views of the site from the street scene. The proposal would retain the landscaping along Sapcote Road and Aston Flamville Road with the exception of the removal of an ash tree and the cutting back of vegetation to form the vehicular access into the site. The presence of the sewage treatment plant and its boundary treatment shield views of the site from the countryside to the south of the site. Although located outside the application site, a landscaped buffer is shown on land within the ownership of the applicant. A planning condition could be imposed to ensure that additional planting is undertaken in this area in accordance with the requirements of Policy 4 in the Core Strategy which seeks to enhance the landscape structure which separates the village from the M69 corridor. As such, the development of this plot of land would have limited impact on the open character of the countryside in this location.

- 8.14. The siting of the property would extend the existing pattern of linear development along Sapcote Road. The building of dwellings, along a road, especially which leads out of a town or village, is deemed as ribbon development, and Policy DM4 of the SADMP seeks to resist such development. Although the development would exacerbate ribbon development along Sapcote Road and is situated outside the settlement boundary and so within countryside, the development of this land would not result in significant adverse harm given the surrounding built form, and its close relationship with the immediately adjoining neighbouring settlement boundary. The positioning of the built features around the boundary of the site in this instance ensures that the perceived separation between the settlement and the wider countryside is observed and maintained.
- 8.15. The existing residential dwellings along Sapcote Road comprise of a mix of large detached dwellings and semi-detached dwellings sited in generous plots with mature front and rear gardens. Vegetation forms the frontage of the majority of the plots along Sapcote Road which gives the area its mature and open character. The neighbouring property is a small bungalow. Although the proposal relates to the construction of a large detached property, there are properties of a similar scale to the proposal along this road. The single storey garage has been located near to the boundary with the adjoining bungalow to allow the graduation of heights as the garage has a lower ridgeline height compared with the bungalow. The distance between the two storey element of the proposed property and the boundary with the bungalow is some 8.8 metres. In addition to this distance, the height of the proposed dwelling would be lower than the properties at nos. 162 and 164. As such, it is considered that the separation distances and heights proposed would not dominate the adjoining residential property.
- 8.16. The design of the proposal being constructed from brick and tiles would be in keeping with the character and appearance of the adjoining properties. Therefore, the proposal would not have a significant adverse impact on the character and landscape character of this area of countryside, having regard to the wider pattern of development. As such although the proposal would exacerbate ribbon development, it is not considered to be harmful in this instance for the reasons set out above and therefore the proposal is in accordance with Policy 4 of the Core Strategy and Policy DM4 of the SADMP. The design and scale of the property proposed, whilst being higher than the adjoining bungalow, would be sited away from the boundary with an intervening single storey garage of a lower height. As such it is considered that the proposal would not unacceptably harm the character or appearance of the area and would accord with Policy DM10 of the SADMP.

APPENDIX A

Impact upon neighbouring residential amenity

- 8.17. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.18. The nearest neighbouring property is no. 166 Sapcote Road which is situated to the west of the application site. No. 166 is a single storey detached dwelling which faces towards Sapcote Road behind a front garden. An existing post and rail fence forms the boundary with the application site. There are no windows proposed on the side elevation facing no. 166. The closest window on the first floor rear elevation of the proposed property is a bedroom window and this window is located some 10 metres from the boundary with no. 166. As such, in view of the distances involved and the position of this window it is considered that the proposal would not result in any significant loss of privacy to this neighbour.
- 8.19. The principal windows of no. 166 are located to the front and rear of the property. The side elevation does face onto open land. As such the proposal has the potential to cause overbearing impacts and overshadowing to this adjoining property. However, the property has been sited so that the single storey element of the building is located near to this bungalow. The property is in line with no. 166. Therefore, given the distances involved and the reduction in height near to no. 166 it is considered that this proposal would not have a significant overbearing or overshadowing impact on the adjoining residents.
- 8.20. Therefore, the proposal would be in accordance with Policy DM10 of the SADMP in terms of residential amenity.

Impact upon highway safety

- 8.21. Policy DM17 of the SADMP states that all new development should be in accordance with the highway design standards. Policy DM18 ensures that development provides appropriate parking provision.
- 8.22. A new vehicular access would be constructed onto Sapcote Road near to the existing vehicular access into no. 166. There is a public footpath along the frontage of the site which links the site to the settlement of Burbage and the public transport links. Leicestershire County Council (Highways) has confirmed that they have no objections to the proposal and that visibility splays of 65 metres are achievable at the access. They confirm that the site contains sufficient turning and parking to serve the development proposed. As such they recommend that planning conditions are imposed on any consent granted relating to the implementation of the proposed access in full, the provision of visibility splays, hard surfacing and site drainage and the removal of permitted development rights to construct any gates or barriers within 5 metres of the highway boundary.
- 8.23. It is considered that the residual cumulative impacts of development can be mitigated and would not be considered severe in accordance with Paragraph 32 of the NPPF and the proposal is in accordance with Policies DM17 and DM18 of the SADMP.

Drainage

- 8.24. Policy DM7 of the SADMP seeks to ensure that development does not exacerbate or create flooding.
- 8.25. The Environment Agency flood maps identify the site as being located within Flood Zone 1 and do not highlight any concerns relating to surface water flooding. No evidence has been provided to demonstrate that the proposed dwellings would adversely impact on flood risk. However, it is considered reasonable to require drainage details to be provided through a condition to ensure surface water is being

APPENDIX A

discharged incorporating sustainable urban drainage. It is considered that the development would be in accordance with Policy DM7 of the SADMP.

Impact upon Ecology

- 8.26. Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation. The application site comprises of grassland and scrub land which has been overgrazed. As such it is unlikely to provide a rich habitat for species. The proposal includes the retention of the trees and hedgerow around the site along with additional planting in a landscaped buffer. Accordingly the proposed development would comply with Policy DM6 of the SADMP.

Other matters

- 8.27. 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. To support the provision of mixed, sustainable communities. Policy 19 of the adopted Core Strategy seeks to address existing deficiencies in the quality, quantity and accessibility of green space and children's play provision within settlements.
- 8.28. However, Paragraph: 031 Reference ID: 23b-031-20160519 of the Planning Practice Guidance, which is a material consideration, notes that tariff style planning obligations should not be sought for developments of 10 units or less and which have a maximum combined gross floor space of no more than 1000 square metres. As the proposal comprises of a single dwelling with a gross floor space of less than 1000 square metres then a contribution is not required.

Whether on balance the development would be sustainable

- 8.29. The NPPF is a material consideration in determining applications. Paragraph 11 of the NPPF (2018) identifies that plans and decisions should apply a presumption in favour of sustainable development, and for decision taking this means approving development proposals that accord with an up to date development plan. As previously identified following the publication of the Inspector's Report on 'Land East of the The Common Barwell' (Ref: APP/K2420/W/17/3188948) on the 20 July 2018, whilst the Council is able to demonstrate a housing land supply of more than 5 years, it was found that the policies relating to the supply of housing are now considered out of date and therefore the presumption in favour of sustainable development within paragraph 11 of the NPPF (2018) is triggered.
- 8.30. Paragraph 8 of the NPPF states that sustainable development has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The assessment of the three dimensions relative to this proposal are as follows:
- 8.31. Economic – The scheme would provide limited benefits to the local economy through the creation of jobs and demand for services and materials for the construction of the development itself and from the future occupation of the development supporting businesses in the wider rural area.
- 8.32. Social – The scheme would provide a small contribution to the overall housing supply within the Borough through the provision of a new dwelling. The proposal would however provide a dwelling in an area where there is no additional housing allocation outside the defined settlement boundary of Burbage.
- 8.33. Environmental - Although the proposal is situated outside the settlement boundary, it is immediately adjacent to it, and not in an isolated position, with development positioned to the north and west of the site. The development would be within a

APPENDIX A

safe walking distance of the local services of Burbage and its public transport links. Given the positioning of the site in relation to the wider area the proposal would not result in a significant adverse impact upon the countryside.

- 8.34. Therefore, it is concluded that the proposed development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits, when assessed against the NPPF.

9. Equality Implications

- 9.1. **Where No Known Implications** 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 proposal seeks development of the existing land for the erection of a detached dwelling. The site is currently a grassed paddock area, and situated outside but immediately adjacent to the defined settlement boundary of Burbage.

- 10.2. However, although the application site is located outside of the settlement boundary, given the surrounding development and the character of the area, the land is not interpreted as countryside, nor is it an area of physical and perceived separation. Therefore, having regard to the NPPF and the fact that policies relating to the supply of housing are now out of date, paragraph 11 of the NPPF and the presumption in favour of sustainable development is triggered. In this instance the provision of a house on this site would not have a significant and demonstrable adverse impact when assessed against the policies in the NPPF taken as a whole.

- 10.3. In addition, the proposal would not have any significant adverse impacts upon residential amenity, or on vehicular or pedestrian safety and Ecology, and subject to conditions would not result in any adverse impact on drainage. It is considered that the proposed development would be in accordance with Policies DM7, DM10, DM17 and DM18 of the SADMP and paragraph 11 of the NPPF.

- 10.4. Having regard to Policy DM1 of the SADMP and the presumption in favour of sustainable development along with taking into account the relevant Development Plan policies and material planning considerations, it is considered, on balance, that the proposed development constitutes sustainable development. Therefore, the proposal is recommended for approval subject to conditions.

11. Recommendation

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

- Planning conditions outlined at the end of this report.

APPENDIX A

11.2. Conditions and Reasons

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in accordance with the submitted details: 101 01A, 02A, 03A, 04A and the Site Location Plan received by the local planning authority on 30 October 2018.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development above foundation level of the dwelling hereby approved shall take place until samples of the materials to be used in the construction of the external facing materials have been submitted to and approved by the local planning authority in writing. Development shall be carried out in accordance with the approved sample details.

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 Development Plan Document (2016).

4. No part of the development hereby approved shall be occupied until the access, parking, turning area and layout arrangements as shown on approved drawing no: 101 01 A shall be implemented in full. Thereafter, the onsite parking provision shall be maintained for such use at all times.

Reason: In the interests of highway safety to accord with Policy DM17 in the SADMP.

5. No part of the development hereby approved shall be occupied until such time as vehicular visibility splays of 2.4 metres by 65 metres have been provided at the site access. These shall thereafter be permanently maintained and no structures, shrubs, trees or other vegetation within those shall be higher than 0.6 metres above the level of the adjacent highway.

Reason: In the interests of highway safety to accord with Policy DM17 in the SADMP.

6. No part of the development hereby approved shall be occupied until such time as the access drive and turning space has been surfaced with tarmacadam or similar hard bound material (not loose aggregate) for a distance of at least five metres behind the highway boundary and, once provided, shall be maintained as such in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway and in the interests of highway safety to accord with Policy DM17 in SADMP.

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

APPENDIX A

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway.

8. No development shall commence until surface water drainage details, incorporating sustainable drainage principles (SuDs) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem in accordance with Policy DM7 of the Site Allocations and Development.

9. No site clearance, preparatory work or construction of the foundations of the dwellinghouse hereby approved shall take place until a scheme for the protection of the retained trees and hedgerows has been submitted and approved in writing by the local planning authority. The approved scheme shall be carried out as approved.

Reason: In the interests of preserving the character and appearance of the area.

10. Prior to the construction above foundation level of the dwelling house hereby approved, a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the protection of the existing trees and hedgerows, planting plans for the landscaped buffer shown on Drawing No: 101 01A, hard surfacing materials, boundary treatments, fencing specifications, planting plans noting species, plant sizes and proposed numbers and densities.

Reason: In the interests of preserving the character and appearance of the area.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling house and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of preserving the character and appearance of the area.

11.3. 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 or call 01455 238141.
2. The site drainage scheme shall be constructed so that no surface water drains onto the public highway. Any access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability.
3. Planning permission does not give approval to work on the public highway. Therefore, prior to carrying out works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

APPENDIX A

4. 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 prove unsuitable for infiltration, alternative SuDS proposals will require the further approval of the LPA before this condition can be discharged.
5. The collection point for domestic recycling, garden waste and refuse will be from the adopted highway boundary and so provision needs to be made on site for the storage of containers.