

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

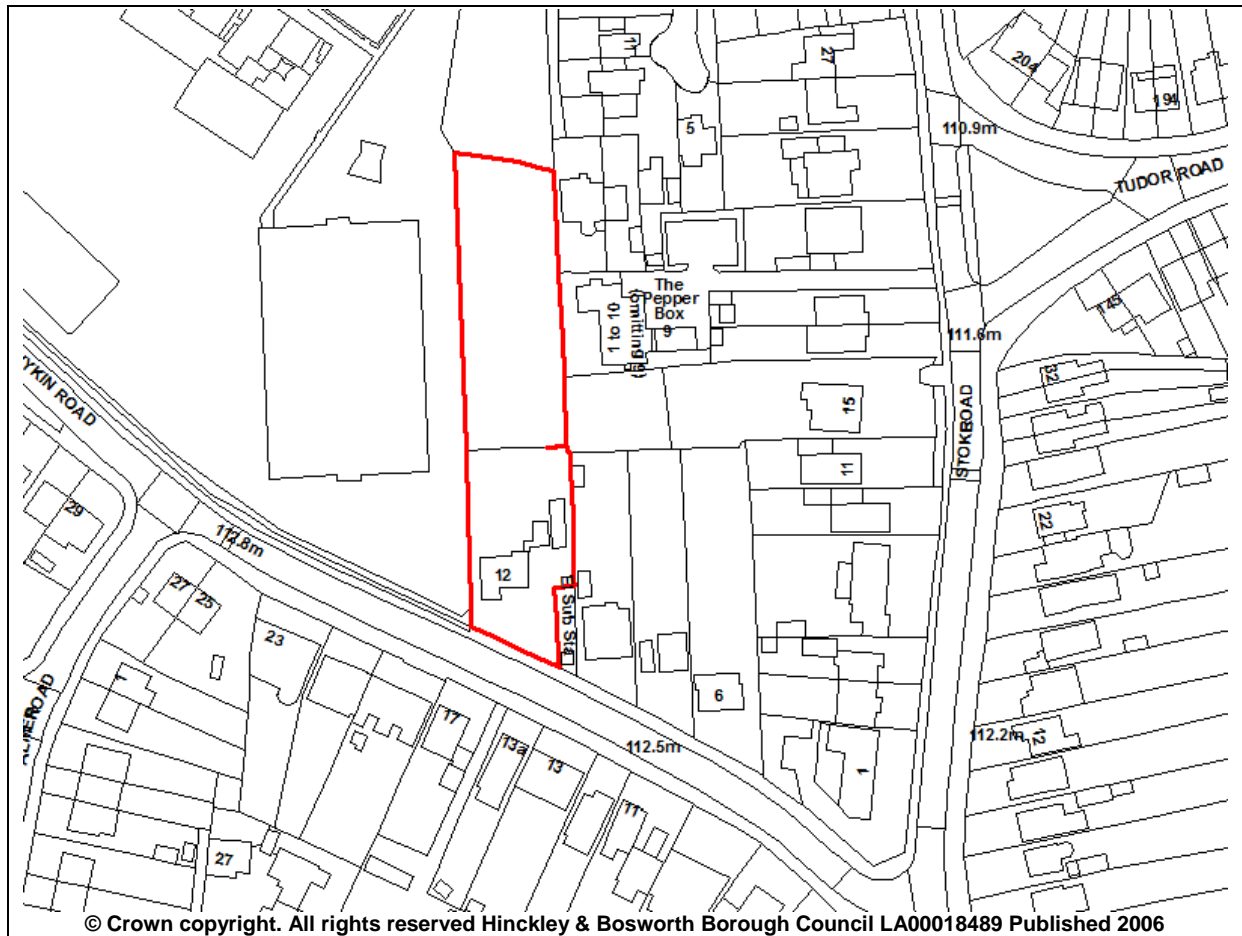


Hinckley & Bosworth
Borough Council

Planning Ref: 18/00827/FUL
Applicant: Mr & Mrs P & T Grant-Reason
Ward: Hinckley Trinity

Site: Newhaven 12 Wykin Road Hinckley

Proposal: Erection of 7 dwellings with associated access (resubmission of 16/00270/FUL)



1. This application was taken to the previous Planning Committee on 20th November 2018. Notwithstanding the officer's recommendation that permission be granted, members were minded to refuse the application; raising concerns in relation to the width of the access road and subsequent separation distance from number 12 Wykin Road.
2. An amended site plan has been received which slightly alters the access drive and thus increases the separation distance between the access road and the side elevation of no. 12 Wykin Road. The applicant has also provided further supporting statements and a letter from a noise consultant, the contents of which are set out below.
3. It is also proposed to replace the existing windows on the front and rear elevation of no. 12 with triple glazing, thus further mitigating the noise implications from the

development. This is to be secured by condition. The rear facing window would also be widened to ensure that internal illumination levels are not diminished.

4. Brick walls are proposed to the front and rear of no. 12 Wykin Road, 1.2 metres high to the front and 1.8 metres high to the rear. The front brick wall also prevents light from the headlights of vehicles shining into the front window of no. 12. This was originally proposed through the application and is not something new, however it should be noted that the brick walls further reduces the noise implications upon the occupiers of no.12, especially the front and rear gardens.
5. The noise consultant letter submitted by the applicant states that the noise impacts on the front elevation of no. 12 from vehicles moving along the proposed access route would be no greater than the existing noise impact of vehicles driving along Wykin Road.
6. Additional comments have been received from HBBC Environmental Health which states that the number of vehicle movements would be classed as insignificant. As such the Environmental Health Officer would not recommend refusal as any impact upon the occupiers of no. 12 would be insignificant.
7. Given the inclusion of no. 12 within the application site, the applicant and any future owners/occupiers would be fully aware of the situation.
8. The reduction in the width of the access drive adjacent to no. 12 is not considered to have any adverse impact upon highway safety. The alteration to the access drive would still allow vehicles to pull clear of the highway and pass by each other without obstructing the highway.
9. Overall it is considered that the bricking up of the windows, provision of brick walls to the front and rear of the site and replacement triple glazing windows would ensure that the occupiers of no. 12 would not be significantly adversely affected by noise and disturbance in accordance with Policy DM10 of the SADMP.
10. 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.

11. Recommendation

11.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

11.2. That the Interim Head of Planning 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 otherwise than in complete accordance with the submitted application details as follows:

Site Plan drg. no. AVD-368-WRH-PL02 Rev. E

Existing and Proposed Ground Floor Plan of no. 12 drg. no. AVD-368-WRH-PL08 Rev. A

Received by the Local Planning Authority on 29 November 2018

Site Location Plan drg. no. 2017/12-04/001A

Plots 1 & 2 Floor Plans and Elevations drg. no. AVD-368-WRH-PL03 Rev. A

Plot 3 Floor Plans and Elevations drg. no. AVD-368-WRH-PL04 Rev. A

Plots 4 – 6 Floor Plans and Elevations drg. no. AVD-368-WRH-PL05 Rev. A

Plot 7 Floor Plans and Elevations drg. no. AVD-368-WRH-PL06 Rev. A

Received by the Local Planning Authority on 24 August 2018

Detached Single Garage Floor Plan and Elevations drg. no. AVD-368-WRH-PL07

Received by the Local Planning Authority on 17 August 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 DPD.

3. No development above foundation level of the dwellings hereby approved shall take place until representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings have been deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

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

4. 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 to and agreed 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 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.

5. The existing vehicular access that becomes partly redundant as a result of this proposal shall be reduced in size and the existing vehicular crossings reinstated in accordance with a scheme that shall first have been submitted to and approved by the LPA in consultation with the Highway Authority within one month of the new access being brought into use.

Reason: To protect footway users in the interests of pedestrian safety to accord with Policy DM17 of the Site Allocations and Development Management Policies DPD.

6. Notwithstanding the submitted information, prior to the commencement of development, a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. These details shall include:-

- Hard surfacing materials
- Boundary treatments
- Fencing specifications
- Planting plans
- Written specifications
- Schedule of plants, noting species, plant sizes and proposed numbers/densities
- 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.

7. The hard and soft landscaping scheme shall be carried out in accordance with the details approved under condition 6. 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: 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.

8. Notwithstanding the submitted information, before any development commences on the site, including site works of any description, an Arboricultural Method Statement and Tree Protection Plan prepared by a suitably qualified arboriculturist shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the existing trees to be retained are adequately protected during construction and in the interests of visual amenity of the area and biodiversity to accord with Policies DM6 and DM10 of the Site Allocations and Development Management Policies Development Policies DPD.

9. 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 and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure that the development is provided with satisfactory surface water drainage in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD

10. The development hereby permitted shall not commence until drainage plans for disposal of surface water and foul sewerage have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the details before the development is first brought into use.

Reason: To ensure that the development is provided with satisfactory means of drainage and to minimise the risk of pollution accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

11. No development shall commence on site until a scheme that makes provision for waste and recycling storage and collection across the site have been submitted to and approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme, in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD.

12. Prior to first occupation of the dwellings hereby approved the proposed parking and turning facilities shall be constructed and completed in accordance with the approved Site Plan drg. no. AVD-368-WRH-PL02 Rev. E received by the Local Planning Authority on 29 November 2018 and shall thereafter be permanently remained to serve the dwellings hereby approved.

Reason: To ensure that adequate off-street parking provision is made and to ensure vehicles are able to enter and leave the site in a forward direction to accord with Policy DM17 and DM18 of the Site Allocations and Development Management Policies DPD.

13. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order) no gates, barriers, bollards, chains, or other such obstructions shall be erected to the vehicular access within a distance of 5 metres of the highway boundary.

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 to accord with Policy DM17 of the Site Allocations and Development Management Policies DPD.

14. Notwithstanding the submitted information, prior to first use of development hereby permitted, the proposed access shall have a width of a minimum of 4.8 metres and shall be surfaced in a hard bound material for a distance of at least 5 metres behind the highway boundary. The access once provided shall be so maintained at all times.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.), in the interests of general highway safety to accord with Policy DM17 of the Site Allocations and Development Management Policies DPD.

15. Prior to first use of development hereby permitted, vehicular visibility splays of 2.4 metres by 43 metres and pedestrian visibility splays of 2.0 metres by 2.0 metres shall be provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety to accord with Policy DM17 of the Site Allocations and Development Management Policies DPD.

16. Prior to first occupation of the dwellings hereby approved, as shown on approved plans, Site Plan drg. no. AVD-368-WRH-PL02 Rev. E and Existing and Proposed Ground Floor Plan of no. 12 drg. no. AVD-368-WRH-PL08 Rev. A received by the Local Planning Authority on 29 November 2018 the two ground floor windows on the side elevation of no. 12 Wykin Road shall be bricked up and permanently retained in this form. The brick used shall match that of the existing dwelling.

Reason: To ensure the development does not have a detrimental impact upon residential amenity to accord with Policy DM10 of the adopted Site

Allocations and Development Management Policies Development Plan Document.

17. Prior to first occupation of the dwellings hereby approved, as shown on approved plans, Site Plan drg. no. AVD-368-WRH-PL02 Rev. E and Existing and Proposed Ground Floor Plan of no. 12 drg. no. AVD-368-WRH-PL08 Rev. A received by the Local Planning Authority on 29 November 2018 the two ground floor windows on the front and rear elevation of no. 12 Wykin Road (indicated as serving lounge and kitchen/dining) shall be provided with triple glazing and permanently retained in this form.

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

11.4. 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. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any 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.
3. To reduce the impact of the construction works on local residents and the highway the LPA may advise the Applicant to submit a Construction Environment Management Plan. The CEMP could include details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision. The construction of the development could then be carried out in accordance with the approved details and timetable.
4. The proposed road layout does not conform to an acceptable standard for adoption and therefore it will not be considered for adoption and future maintenance by the Local Highway Authority. The Local Highway Authority will, however, serve Advance Payment Codes in respect of all plots served by (all) the private road(s) within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the Advanced Payment Code may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details please email road.adoptions@leics.gov.uk. Signs should be erected within the site at the access advising people that the road is a private road with no highway rights over it.