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Borough Council

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Steve Atkinson MA(Oxon) MBA FIoD FRSA
Chief Executive

Date: 22 May 2015

To: **Members of the Planning Committee**

Mr R Ward (Chairman)	Mrs J Kirby
Mr LJP O'Shea (Vice-Chairman)	Mr RB Roberts
Mr RG Allen	Mr SL Rooney
Mr Bessant	Mrs H Smith
Mr DC Bill MBE	Mr BE Sutton
Mrs MA Cook	Miss DM Taylor
Mrs GAW Cope	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, Hinckley Hub on **TUESDAY, 2 JUNE 2015** 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 - 2 JUNE 2015

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS

2. MINUTES (Pages 1 - 2)

To confirm the minutes of the meeting held on 21 April 2015.

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. 14/01084/FUL - 20 ROOKERY LANE, GROBY (Pages 3 - 22)

Application for partial demolition of, and extensions & alterations to, an existing dwelling and erection of two new dwellings, alterations to access and erection of a new boundary wall.

8. 14/01283/COU - 23 STATION ROAD, RATBY (Pages 23 - 28)

Application for change of use from restaurant (A3) to a mixed use restaurant and hot food takeaway (A3 and A5).

9. 14/01102/FUL - MALLORY PARK CIRCUIT, CHURCH ROAD, KIRKBY MALLORY (Pages 29 - 38)

Application for formation of new bunding, erection of acoustic fencing and reduction in size of existing pond.

10. 15/00172/FUL - LAND TO THE WEST OF 1 SUMMERS CLOSE, KIRKBY MALLORY (Pages 39 - 48)

Application for erection of a dwelling with associated parking, landscaping and infrastructure.

11. 14/01250/OUT - PARK HOUSE, 62 MAIN ROAD, SHEEPY MAGNA (Pages 49 - 62)

Application for erection of six dwellings (outline – access and layout).

12. 14/00660/FUL - HALL FARM, MAIN STREET, NEWBOLD VERDON (Pages 63 - 76)

Application for erection of solar farm and associated infrastructure.

13. 15/00381/COU - LAND REAR OF ODDFELLOWS ARMS, 25 MAIN STREET, HIGHAM ON THE HILL (Pages 77 - 84)
Application for change of use of land from agricultural to equestrian.
14. POLICIES IN RELATION TO THE ABOVE APPLICATIONS (Pages 85 - 94)
These policies are to be read in conjunction with the above applications.
15. APPEAL DECISIONS (Pages 95 - 96)
Appeal decision APP/K2420/D/15/3003975 – 149 The Park, Market Bosworth.
16. APPEALS PROGRESS (Pages 97 - 100)
Report of the Deputy Chief Executive (Community Direction) attached.
17. DELEGATED DECISIONS ISSUED (Pages 101 - 120)
Report of the Deputy Chief Executive (Community Direction) attached.
18. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

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Agenda Item 2

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

21 APRIL 2015 AT 6.30 PM

PRESENT: Mr R Mayne - Chairman
Mr JS Moore – Vice-Chairman
Mr JG Bannister, Mr CW Boothby, Mr DS Cope, Mrs WA Hall, Mrs L Hodgkins,
Mr KWP Lynch, Mr K Morrell, Mr LJP O'Shea, Mrs H Smith, Mr BE Sutton,
Miss DM Taylor, Mr R Ward and Ms BM Witherford

In accordance with Council Procedure Rule 4.4 Councillor Mr WJ Crooks was also in attendance.

Officers in attendance: Simon Atha, Eleanor Overton, Rebecca Owen, Michael Rice and Pete Reid

471 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillor Allen.

472 MINUTES

It was moved by Councillor Bannister, seconded by Councillor Cope and

RESOLVED – the minutes of the meeting held on 31 March 2015 be confirmed and signed by the Chairman.

473 DECLARATIONS OF INTEREST

No interests were declared at this stage.

474 TOWN & COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED

The committee was presented with a schedule of planning applications and late items.

- (a) 14/00951/REM – Approval of reserved matters of outline planning permission 10/00851/EXT for the redevelopment of former colliery site to include storage and distribution uses (class B8), small business units (class B1(C), B2 and B8), a country park, landscaping open space and the formation of a new access (accompanied by an Environmental Statement) (cross boundary application with North West Leicestershire District Council), Nailstone Colliery, Wood Road, Nailstone – Curtis Hall Ltd

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

RESOLVED – permission be granted subject to conditions contained in the officer's report.

- (b) 14/01270/FUL – Erection of a 5MW solar farm and associated infrastructure, land south west of Lindridge Farm, Lindridge Lane, Desford – Sun Farming UK Ltd

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

RESOLVED – permission be granted subject to the conditions contained in the officer's report and late items.

- (c) 14/00295/FUL – Proposed livestock building with associated landscaping, land east of Heath Road, Bagworth – Mr Darren Price

Councillor Boothby, seconded by Councillor O'Shea, moved that the application be refused for the reasons suggested in the report. Some members felt that the proposed building was too high and that the applicant may consider reducing the height. It was moved by Councillor Bannister and seconded by Councillor Moore that officers be asked to negotiate reducing the height of the proposed building and be granted delegated authority to approve the application should negotiations be successful.

Having been tabled first, a vote on the motion proposed by Councillor Boothby and seconded by Councillor O'Shea was taken and CARRIED. It was therefore

RESOLVED – planning permission be refused for the reasons stated in the officer's report and enforcement action be authorised.

Councillor Bannister left the meeting at 7.49pm.

475 APPEALS PROGRESS

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

RESOLVED – the report be noted.

476 DELEGATED DECISIONS ISSUED

On the motion of Councillor Boothby, seconded by Councillor Morrell, it was

RESOLVED – the report be noted.

(The Meeting closed at 7.50 pm)

CHAIRMAN

Reference: 14/01084/FUL

Applicant: Executors & Trustees Of Cynthia Fogerty Deceased

Location: 20 Rookery Lane Groby

Proposal: Partial demolition of, and extensions and alterations to, an existing dwelling and erection of two new dwellings, alterations to access and erection of a new boundary wall

RECOMMENDATION:- Grant subject to conditions.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, because it has attracted interest from five or more addresses the views of which are contrary to the officer recommendation.

Planning Committee deferred making a decision on this application at the 31 March 2015 meeting. In arriving at that decision, Members considered the issues raised in the officer's report but were not satisfied that the development would be acceptable from a highway safety point of view due to a lack of visibility from the access in a south easterly direction (towards the brow of the hill). Committee Members also raised concerns about the elevated position of Unit C and the potential terracing effect between Units A and B. Following subsequent discussions with the applicant's agent amended plans have been received in response to these issues raised with the following changes:-

- Site Plan as Proposed - amended by the removal of the existing vegetation along the highway boundary and the proposed new 0.45 metre high dry stone front boundary wall being set back by 2 metres from the highway boundary to the south east of the access (towards the brow of the hill) to enable the maximum visibility possible to be achieved in this direction. In addition, the 2 metre wide area between the new low level boundary wall and the highway boundary is to be hard-surfaced to prevent any obstruction.
- Site Section Drawing - amended by the reduction of 0.5 metres in ground level and finished floor level of Unit C in relation to Unit A and the existing dwellings on Crane Ley Road.
- Site Plan as Proposed - amended by the set back of Unit B from Unit A by 0.5 metres and an increase in the separation distance of the two plots to 1.1 metres to create a step between the plots to avoid a terracing effect.

Re-consultation has been undertaken in respect of the amended plans.

Application Proposal

This application seeks full planning permission for:-

- a) the demolition of a single storey extension to the existing two storey cottage
- b) extensions and alterations to the existing two storey cottage (Unit A)
- c) the erection of a new 1½ storey dwelling with road frontage to Rookery Lane (Unit B)
- d) the erection of a new 1½ storey dwelling to the rear of the existing cottage (Unit C)

- e) formation of new off-street parking and turning areas to the front (Unit A) and rear (Units B and C)
- f) alterations to the existing vehicular access onto Rookery Lane
- g) the erection of new 0.45 metre high dry stone walls to the front boundary of Unit B and either side of the access.

Unit A

The existing single storey extension to the south east side elevation would be demolished and the external wall made good. A two storey extension with a subordinate link is proposed to the north west side elevation with accommodation at first floor and an entrance lobby and under-croft parking at ground floor. A first floor extension is proposed to the rear elevation. Proposed materials are rough cast rendered walls, interlocking concrete roof tiles and uPVC windows to match the existing dwelling and heritage profile rainwater goods. Alterations include the removal of the ground floor bay windows on the front elevation, modification to the openings and replacement with narrower flush timber frames windows.

Unit B

The proposed three bedroom dwelling is located immediately to the south east of Unit A on the same building line with road frontage to Rookery Lane. The proposed dwelling is 10.6 metres in width x a maximum of 6.8 metres in depth with a ridge height of approximately 5.85 metres and eaves height of approximately 3.9 metres. The design includes a traditional pitched roof with half dormer windows at first floor to the front elevation, feature chimney to the side elevation, brick plinth, arched headers and brick eaves. Proposed materials include rendered walls with a brick plinth, natural slate roof, timber framed windows and doors, conservation type roof lights and heritage profile rainwater goods. Two parking spaces are provided to the rear. New steps are proposed for access to the elevated rear garden.

Unit C

The proposed three bedroom dwelling is located to the rear of Units A and B with the main elevations facing south east (front) and north west (rear). The proposed dwelling is 10.3 metres in width x a maximum of 9.8 metres in depth. It is designed with a traditional steep pitched roof with front and rear gables with a (main) ridge height of 6.6 metres and eaves height of 3.9 metres and a subordinate wing with a ridge height of 5.8 metres and eaves height of 2.9 metres. The design includes a bay window and canopy porch to the front elevation, cat-slide roof to the rear elevation, feature chimney to the side elevation, headers and brick eaves. Proposed materials include red brick and timber clad walls, natural slate roof, timber framed windows and doors, conservation type roof lights and heritage profile rainwater goods. Two parking spaces are provided to the rear. A stone/brick and slate outbuilding located in the southern corner of the site is to be retained for use as a shed with Unit C.

Access

The existing 3 metres wide access is to be increased in width to 4.6 metres and provided with a minimum of 2 metres x 2 metres visibility spays on both sides. The existing pillars, access gates and tall hedgerows are to be removed and replaced with new 0.45 metre high dry stone walls either side of the access and across the road frontage of Unit B.

The Site and Surrounding Area

The site measures approximately 0.14 hectares (1420 square metres) and is located within the settlement boundary of Groby and within the Groby Conservation Area. It is roughly

square in shape measuring approximately 38 metres in width and depth. It comprises a two storey cottage with single storey extensions and a detached garage located in the north corner of the site. It is constructed with white painted rough cast rendered walls and brown concrete interlocking roof tiles. There are extensive/elevated gardens to the rear containing a number of trees of varying species, age and height and other landscaping. There is an attractive stone/brick and slate outbuilding located in the southern corner of the site. The site is enclosed by the brick walls of an adjacent commercial building (north west), a metre high dry stone wall with various fencing over (south west), a 1.8 metres high timber panel fence (south east) and a 3 metre high hedgerow across the site frontage. There is a 3 metre wide vehicular access off Rookery Lane close to the east corner with 3 metres high rendered pillars either side framing a pair of black painted iron railing gates of similar height. There is a Grade II Listed Building (26 Rookery Lane) that backs on to the south east boundary of the site. The commercial building to the north west is occupied and uses air conditioning units. There are modern two storey semi-detached dwellings to the north east on Rookery Lane and the rear gardens of modern two storey detached dwellings that front onto Crane Ley Road to the south west.

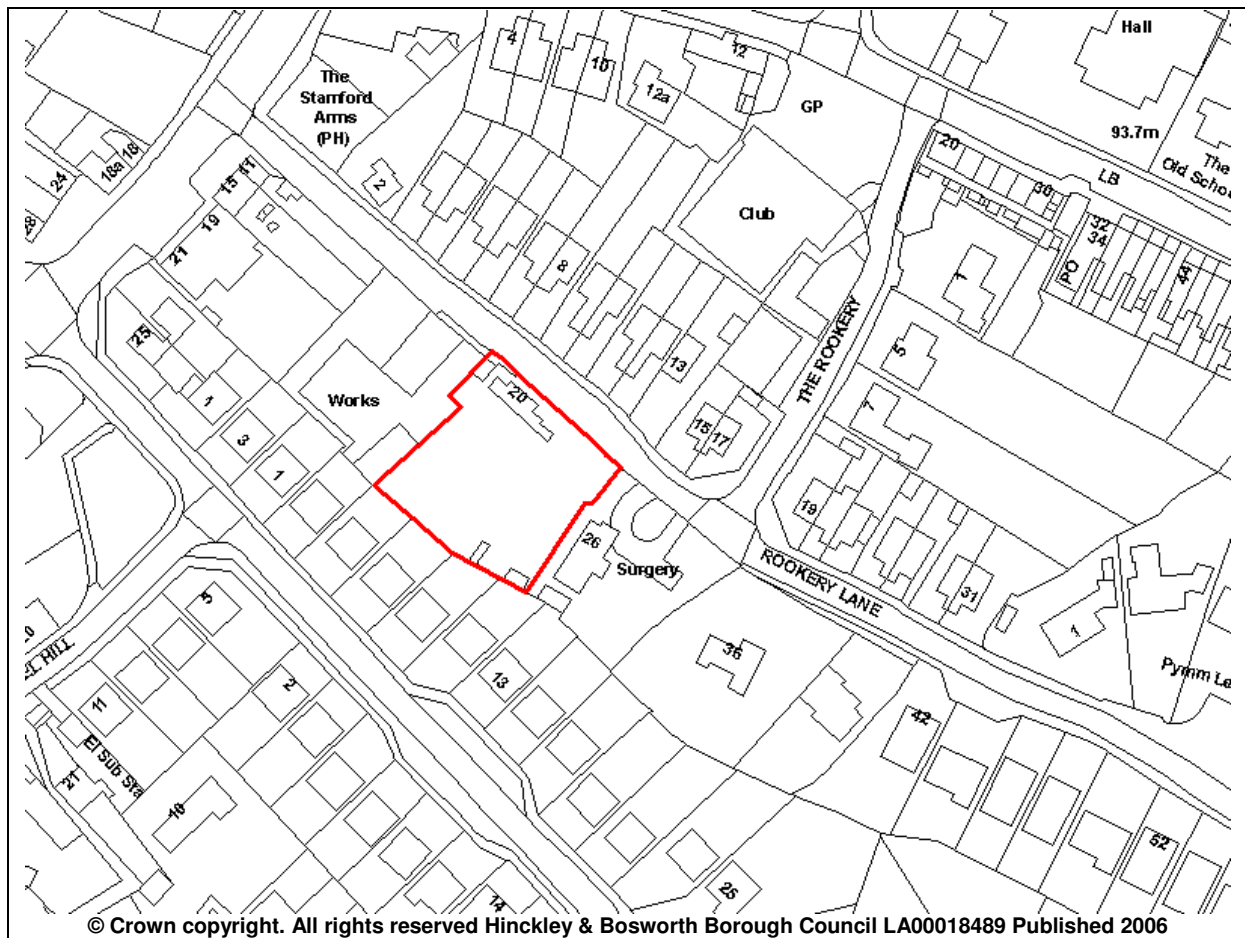
There are significant ground level changes within the site and in the surrounding area. The ground levels of the site rise steeply to the rear of the existing cottage to a level approximately 3 metres higher than the highway. The site itself is approximately 1 metre lower than the ground levels of the dwellings on Crane Ley Road to the south west. Site sections have been submitted with the application.

Technical Documents submitted with the Application

Planning and Heritage Statement
 Arboricultural Report
 Sustainability Statement

Relevant Planning History:-

02/00721/OUT	Erection of two bungalows	Refused	12.09.02
00/00562/FUL	Single storey extension to dwelling	Approved	11.07.00



Consultations:-

No objection has been received from:-

- Environmental Health (Pollution)
- Environmental Health (Land Drainage)

No objection subject to conditions has been received from:-

- Leicestershire County Council (Archaeology)
- Leicestershire County Council (Highways)
- Street Scene Services (Waste)
- Arboricultural Officer
- Borough Council's Conservation Officer

Councillor Cartwright objects to the application on the grounds of highway safety due to the exit being on top of a blind hill at a busy junction.

Groby Parish Council object to the application on the following grounds:-

- a) application site is within a Conservation Area
- b) wish to retain current trees
- c) houses being built too close to the rear boundary wall which should be retained
- d) highway safety - proximity of access to brow of hill.

Groby Village Society object to the application on the following grounds:-

- a) new dwellings do not enhance or conserve the visual amenity of the Conservation Area
- b) the dwelling to the rear will appear as a two storey dwelling due to rising ground and attic rooms
- c) existing trees add greatly to the overall appearance of the area
- d) inadequate off-street car parking leading to additional on-street parking problems in the area.

Groby Heritage Warden raises the following issues and concerns:-

- a) proximity of the development to listed buildings
- b) suggests proper archaeological investigation of the existing cottage should be undertaken to reveal its construction which is hidden by render
- c) tiled roof should be replaced by Welsh slate in the absence of availability of Groby slate
- d) Unit 3 is too close to a traditional dry stone wall and should be relocated further away
- e) would retained trees survive the building operations without serious damage?
- f) access - highway safety.

Site notice posted and neighbours notified, objections have been received from seven different addresses. A summary of the objections/issues/concerns raised are as follows:-

- a) Unit C is too close to the rear boundary dry stone retaining wall and would potentially result in damage and lack of access for future maintenance
- b) proximity of Unit C to rear boundary and its proposed height would be overbearing and restrict outlook/views from rear windows and garden of dwellings fronting onto Crane Ley Road
- c) loss of privacy from overlooking to the rear gardens of dwellings fronting onto Crane Ley Road
- d) overlooking to and loss of outlook from the front of properties on Rookery Lane
- e) overshadowing/loss of light to the rear gardens of dwellings fronting onto Crane Ley Road
- f) lack of privacy fencing to the rear gardens of dwellings fronting onto Crane Ley Road
- g) potential additional parking problems
- h) loss of property value
- i) inaccuracies on the plans
- j) inadequate parking
- k) highway safety in respect of the access position close to a blind summit
- l) loss of trees/view.

No response has been received from Historic Buildings Panel.

Policy:-

National Policy Guidance

National Planning Policy Framework (NPPF)(2012)
National Planning Practice Guidance (NPPG)(2014)
Community Infrastructure Levy (CIL) Regulations (2010)

Hinckley & Bosworth Core Strategy 2009

Policy 8: Key Rural Centres Relating to Leicester
Policy 24: Sustainable Design and Technology

Hinckley & Bosworth Local Plan 2001

The site is located within the settlement boundary of Groby and within the Groby Conservation Area as defined in the adopted Hinckley & Bosworth Local Plan.

Policy BE1: Design and Siting of Development
Policy BE5: The Setting of a Listed Building
Policy BE7: Development in Conservation Areas
Policy BE14: Archaeological Field Evaluation of Sites
Policy BE16: Archaeological Investigation and Recording
Policy RES5: Residential Proposals on Unallocated Sites
Policy NE2: Pollution
Policy NE12: Landscaping Schemes
Policy T5: Highway Design and Vehicle Parking Standards
Policy IMP1: Contributions Towards the Provision of Infrastructure & Facilities
Policy REC3: New Residential Development - Outdoor Play Space for Children

Supplementary Planning Guidance/Documents

Groby Conservation Area Appraisal and Map (2010)
Play and Open Space (SPD)
Sustainable Design (SPD)
New Residential Development (SPG)

Appraisal:-

The main considerations in determination of this application are:-

- the principle of development
- layout and design
- impact on the character and appearance of the Groby Conservation Area
- impact on the setting of the adjacent listed building
- impact on archaeology and existing trees
- the amenities of neighbouring properties
- access and highway and pedestrian safety
- developer contributions
- other issues

Principle of Development

The National Planning Policy Framework (NPPF) provides a presumption in favour of sustainable development. This is set out within paragraphs 49 and 14 of the NPPF. For decision taking this means:

- approving development proposals which accord with the development plan without delay, and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless;
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole, or
 - specific policies in the NPPF indicate development should be restricted.

Policy RES5 of the adopted Local Plan supports housing development on unallocated sites within the boundaries of urban areas.

The application site is located within the settlement boundary of Groby as defined on the Proposals Map of the adopted Local Plan where residential development is generally acceptable in principle and in a sustainable location within a reasonable distance of services and facilities.

Policy 8 of the adopted Core Strategy supports the allocation of land for a minimum of 110 new dwellings for Groby. As at 1 October 2014, a further 86 dwellings are required to meet that requirement and the proposal would therefore contribute an additional two dwellings to meet the minimum requirement for Groby.

Paragraph 47 of the NPPF states that local authorities should identify, and update annually, a supply of deliverable sites sufficient to provide five years worth of housing against their housing requirements. They should also provide an additional buffer of 5% (moved forward from later in the Plan period) to ensure choice and competition in the market for land. As of 1 October 2014 the Council considered that it had a five year supply of housing sites, based on the 'Liverpool' method of calculation (which proposes that any shortfall should be made up throughout the term of the Plan) and a 5% buffer and thus that the housing supply policies contained within the Core Strategy were up-to-date. However, a more recent appeal decision has been received on 11 March 2015 (application ref. 12/00250/FUL) in respect of Land East of Groby Cemetery for the erection of 91 dwellings. The Inspector in this appeal, based on the most up-to-date evidence and the delayed delivery of the SUEs, concluded that the supply of housing would be best served by making up the existing undersupply in the shorter term, in accordance with the 'Sedgefield' methodology with a 5% buffer to achieve the planned supply. The Inspector calculated that the Borough's current housing land supply would equate to approximately 4.34 years and therefore policies for the supply of housing land cannot be considered up to date. The additional dwellings proposed would therefore contribute to the shortfall in housing within the Borough and the settlement of Groby.

In addition to contributing to the social role of sustainable development by providing two additional dwellings towards meeting the current shortfall, the proposal would contribute to the economic role through the construction/development of the site and support the vitality and viability of the village from the occupation of the dwellings. The proposal is therefore considered to be a sustainable development in accordance with the overarching principles of the NPPF, Policy 8 of the adopted Core Strategy and Policy RES5 of the adopted Local Plan. The proposal is therefore considered to be acceptable in principle subject to all other planning matters being appropriately addressed.

Notwithstanding the current shortfall in housing land supply and that the site may be considered to be in a sustainable location, the NPPF at paragraph 53 suggests that local authorities should consider setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. As such the proposed development of this former residential garden/allotment should be considered against local policies to determine if it would harm the local area.

Layout, Design & Relationship to the Character and Appearance of the Groby Conservation Area (GCA), the Setting of the Adjacent Listed Building, Archaeology and Existing Trees.

In addition to paragraph 53 above, the NPPF in paragraph 58 seeks to ensure that development responds to local character and reflects the identity of local surroundings. One of the core planning principles identified in paragraphs 17 and 126 of the NPPF include the conservation of heritage assets in a manner appropriate to their significance.

Policy 8 of the adopted Core Strategy requires new development to respect the character and appearance of the GCA by incorporating locally distinctive features. Policy BE1 (criterion

a) of the adopted Local Plan and the Council's adopted SPG on New Residential Development seek to ensure that the development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and is well integrated into its surroundings. Policy BE1 (criterion b) of the adopted Local Plan seeks to avoid the loss of open spaces, important gaps in development and vegetation and features that contribute to the quality of the local environment. Policy BE5 of the adopted Local Plan requires that development preserves or enhances the setting of listed buildings through the control of the scale, form, siting and design of the proposal in relation to the listed building and the preservation of trees. Policy BE7 of the adopted Local Plan requires the siting and design of new development to preserve or enhance the special character and appearance of the conservation area and be in sympathy with the merits of neighbouring development. Policies BE14 and BE16 of the adopted Local Plan require that appropriate archaeological evaluation, investigation and recording is undertaken where necessary. These policies are considered to have a high degree of conformity with the NPPF and can therefore be given weight in the determination of the application.

Unit A (Existing Cottage)

The GCA Map identifies the existing cottage 20 Rookery Lane as an important historic building but the GCA Appraisal does not refer specifically to Rookery Lane or provide any additional information to support the historic importance of the cottage. It is located on the edge of the GCA adjacent to a listed building and both are surrounded by 'weak' areas of modern housing and commercial units.

The unsympathetic bow windows to the front elevation and concrete roof tiles dilute the traditional character and appearance of the cottage. The amended scheme proposes the replacement of the bow windows with flush windows of appropriate proportions which would enhance its appearance. The more modern single storey extension does not have any historic or architectural merits and therefore its demolition is not unacceptable in principle. The proposed extension to the north west side (as amended) is considered to be sympathetic to the cottage in terms of its design, scale and proportions and would be visually distinct by virtue of the subordinate/set back link. The extension would also benefit the visual amenities of the GCA by the demolition of the existing flat roof garage and obscuring of views of the commercial building behind it. Whilst the use of more sympathetic materials would be desirable, the proposed use of matching materials on the cottage extension is not unacceptable in policy terms. By virtue of the layout, scale, design and the use of matching materials the scheme for Unit A is considered to enhance the character and appearance of the dwelling and the wider GCA and to preserve the setting of the adjacent listed building.

Objections have been received on the grounds that the new dwellings (Units B and C) do not enhance or conserve the visual amenity of the GCA, are too close to nearby listed buildings and the dry stone boundary wall to the rear of the site and would result in the loss of trees that contribute to visual amenity. Groby Village Society also raises concerns that Unit C will appear as a two storey dwelling due to rising ground and attic rooms.

Unit B

The replacement of the existing single storey extension with a well designed 1½ storey cottage would continue the linear form of development and frontage onto Rookery Lane already established by Unit A. The amended layout with an increased separation between Unit A and Unit B of 1.1 metres together with a new set back of 0.5 metres of Unit B from Unit A would ensure that no terracing effect would be created and is considered to address this concern raised by a Member at the 31 March Planning Committee. The proposed layout also maintains an adequate degree of open space and separation (approximately 14.5

metres) to the listed building to the south east such that it is considered to preserve its setting. The scale of Unit B also respects that of the adjacent cottage and listed building and takes into account the rising ground level within the street scene. The design includes a feature chimney to the side elevation, brick plinth, half dormer windows, arched brick headers and brick eaves that are architectural features found elsewhere within the GCA and add to the quality of the design. The proposed use of render, red brick, natural slate, timber windows and conservation roof lights would result in a satisfactory appearance within the GCA. By virtue of the layout, scale, design and the use of sympathetic materials the scheme for Unit B is considered to enhance the character and appearance of the GCA and to preserve the setting of the adjacent listed building. The proposed removal of the frontage hedgerow and its replacement with a sympathetic low level dry stone wall across the frontage would enhance the character and appearance of this part of the GCA.

Unit C

The GCA Appraisal and Map identifies the garden area to the rear of the cottage as a green space but provides no specific details to support its importance and it is not identified as an open area of special character protected by Policy BE19 of the adopted Local Plan. The majority of the rear garden has an elevated position (approximately 3 metres) in relation to Rookery Lane and is partly screened by the dwelling and its existing extension. As a result, other than the larger trees within the site which contribute to the visual amenities of the GCA, this green space is considered to make only a limited contribution to the GCA.

Notwithstanding that the siting of Unit C would result in back-land development, in this case the adjacent listed building to the south east of the site is set well back from the highway and has a similar orientation almost at right angles to the highway. In addition, to the north west there is a commercial unit that extends built form to the rear boundary of the application site. Therefore, whilst back-land development is not generally encouraged, in this particular case it is considered that the amended layout would not result in any significant harm to the character of the area. In addition, notwithstanding the elevated ground levels, by virtue of the amended layout and 1½ storey scale of Unit C it would be largely screened from public areas by the frontage development and the retention of the larger trees. An amended site section has been submitted indicating a 0.5 metre reduction in the ground level for Unit C to satisfactorily demonstrate the relationship of the dwelling to the street scene and address the concern raised that it would be prominent as a result of its elevated position and scale.

The amended layout has relocated the footprint of Unit C increasing the separation distance to the dry stone wall to approximately 2.5 - 3 metres to minimise any potential adverse impact on the wall during construction and address objections received on this issue. The amended layout also provides separation distance of 23 metres between Unit C and the blank rear elevation of the listed building which, together with the proposed retention of the larger trees (which would continue to contribute to the visual amenities of the GCA), would preserve the setting of the listed building.

The design includes a bay window and canopy porch to the front elevation, cat-slide roof to the rear elevation, feature chimney to the side elevation, headers and brick eaves that are architectural features found elsewhere within the GCA and add to the quality of the design. Proposed materials include red brick and timber clad walls, natural slate roof, timber framed windows and conservation roof lights would result in a satisfactory appearance within the GCA. By virtue of the layout, scale, design and the use of sympathetic materials the scheme for Unit C is considered to preserve the character and appearance of the GCA and the setting of the adjacent listed building.

The amended layout provides adequate private amenity areas for each dwelling in excess of SPG design standards. There are a number of trees within the site that contribute to the

visual amenities of the Groby Conservation Area. The proposed layout indicates the retention of the more significant trees. The Borough Council's Arboricultural Officer has visited the site and has no objection to the scheme subject to conditions requiring the submission of an arboricultural method statement and tree protection plan for prior approval and the implementation of protection measures before and during construction. These conditions are considered to be reasonable and necessary to protect and ensure retention of the significant trees within the site in view of the proximity of proposed Unit C.

Groby Heritage Warden suggests that proper archaeological investigation of the existing cottage should be undertaken to reveal its construction method which is hidden by render and that the tiled roof should be replaced by slates.

Leicestershire County Council (Archaeology) has visited the site and has no objection in principle to the scheme. However, they consider that the works to the existing cottage have the potential to impact on historic fabric and reveal details of heritage interest and therefore they recommend a condition to secure a programme of historic building inspection and recording to include monitoring of the alterations. This should also include the stone outbuilding which is to be retained. In addition, they consider that there is a likelihood of archaeological remains being present within the site and therefore a condition is recommended to secure a programme of archaeological work in the form of archaeological attendance during ground-works to investigate and record any remains encountered. These conditions are considered to be reasonable and necessary to ensure satisfactory archaeological investigation and recording in accordance with paragraphs 137 and 141 of the NPPF.

The Borough Council's Conservation Officer raises no objections to the amended scheme subject to conditions to control external materials and proposed new boundary treatments.

Notwithstanding the objections received and concerns raised, which have been carefully considered, by virtue of the layout, scale, design and appearance of the amended scheme, which are considered to be acceptable, together with the retention of the larger trees within the site and subject to archaeological investigation and recording the proposal is considered to preserve the historic fabric and significance of the existing cottage, preserve the character and appearance of the wider GCA and the setting of the adjacent listed building and would result in a scheme that would be well integrated into its surroundings. The scheme is therefore considered to be in accordance with Policies BE1 (criteria a and b), BE5, BE7 (criteria a, b, c and d), BE14 and BE16 of the adopted Local Plan, the SPG on New Residential Development and the overarching principles of the NPPF with particular reference to paragraphs 53, 137 and 141.

Relationship to the Amenities of Neighbouring Properties

The NPPF in paragraph 17 seeks to ensure a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings. Policy BE1 (criterion (i) of the adopted Local Plan and SPG on new Residential Development require that development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties.

Concerns were raised by Members at the 31 March Planning Committee in respect of a potential overbearing /overshadowing relationship of Unit C to the existing cottage Unit A. In response to this the amended plans propose to lower the ground and finished floor level of Unit C by 0.5 metre. Whilst this is a relatively small amendment, the separation distance of 15.5 metres from Unit C which is 1½ storey in scale to the nearest part of Unit A is already in excess of the adopted SPG on New Residential Development standard (14 metres to a 2

storey elevation, 12 metres to a single storey elevation) and the amended relationship between the two units is therefore considered to be acceptable.

Objections have been received that proposed Unit C, by reason of its height and proximity to the rear garden boundaries of the dwellings that front onto Crane Ley Road would result in an adverse overbearing/overshadowing impact on the rear elevation windows and rear gardens, would result in a loss of privacy from overlooking and lack of adequate boundary treatments. An objection has also been received that Unit B would result in overlooking to the front of the dwellings on Rookery Lane.

The dwellings on Crane Ley Road that back onto the site are two storeys in height and occupy an elevated position of approximately 1.2 metres above the ground level of the application site. Boundary treatments are varied and currently relatively low level and currently unsubstantial.

The amended layout has relocated Unit C further into the site from the rear boundary wall and now provides a separation distance of between 11.5 metres and 13 metres to the nearest dwelling, 7 Crane Ley Road, and approximately 3 metres to the rear garden boundary. The Council's SPG on New Residential Development suggests that a separation distance of 12 metres to a single storey or 14 metres to a two storey blank elevation is acceptable. Taking into account the relative (lower) ground level of the application site and the proposed additional 0.5 metre reduction in ground level of Unit C in the amended plans together with its 1½ storey scale, the proposed separation distance is considered to be acceptable in terms of the SPG. In addition, by virtue of the amended design of Unit C, the closest part is an end gable only 5 metres in width with an effective ridge height (taking into account the lower ground level of the site) of approximately 4.6 metres and eaves height of approximately 1.7 metres. By virtue of the increased separation distance and amended design together with the relative ground levels, it is considered that Unit C would not result in any significant adverse overbearing/overshadowing relationship to the rear elevation windows or rear gardens of the adjacent dwellings. Notwithstanding that the amended design has removed the dormer windows of the original scheme it now includes roof lights to serve bedrooms within the roof space. However, only oblique views would be available as there are no windows that face directly into the rear gardens of the adjacent dwellings.

The lack of substantial fencing along the rear boundaries of the adjacent neighbouring dwellings is the choice of the current occupiers and privacy could be protected by the erection of standard boundary fencing within their curtilage to address any potential loss of privacy as a result of the development of the application site. The proposal includes the erection of an elevated close boarded timber fence (stained dark green) above part of the existing dry stone wall that defines the boundary to enclose the rear garden of Unit C and protect the privacy and amenity of the future occupiers and existing occupiers on Crane Ley Road. This solution would not obscure the existing dry stone wall which is an attractive and historic feature to be retained and would not obstruct its future maintenance but would still provide a privacy screen and take into account the relative ground levels of the site and neighbouring gardens as indicated on the submitted Site Section drawing.

Unit B faces across the public highway towards the dwellings on the opposite side of Rookery Lane and by virtue of the separation distance of approximately 23 metres to the front elevation windows would not result in any adverse relationship to these dwellings from either overbearing/overshadowing impact or loss of privacy from overlooking.

Notwithstanding the objections received and concerns raised, which have been carefully considered, by virtue of the siting, scale, design, amended ground level of Unit C and separation distances it is considered that the amended scheme would not result in any adverse relationship to any neighbouring properties or result in any adverse

overbearing/overshadowing impacts or undue loss of privacy from overlooking. The amended scheme is therefore considered to be in accordance with Policy BE1 (criterion i) of the adopted Local Plan, the Council's Supplementary Planning Guidance on New Residential Development and the overarching principles of the NPPF in this respect.

Access, Parking and Highway Safety

Criterion (g) of Policy BE1 seeks to ensure that there is adequate highway visibility for road users and adequate provision of off-street parking and manoeuvring facilities. Policy T5 applies highway design and vehicle parking standards.

Objections have been received that the access to Rookery Lane is inadequate to serve additional dwellings and the scheme provides inadequate off-street vehicle parking to serve the development and would therefore result in additional on-street parking both to the detriment of highway safety. An objection has also been received that the access is too close to the brow of a hill and would result in added dangers to road users.

Following a site visit prior to the 31 March Planning Committee Members raised concerns in respect of highway safety as a result of the limited visibility available from the access particularly in a south easterly direction and its proximity to the brow of the hill on The Rookery.

The existing access serving 20 Rookery Lane is only 3 metres in width and has no visibility splays at all, being framed on either side by 3 metres high pillars and frontage hedgerows. In addition, any vehicle using the access would either have to reverse into the drive or reverse out of the drive onto The Rookery as no turning space is currently available within the site. The amended scheme includes alterations to the access to increase its width to 4.6 metres (in excess of LCC Highways design standard) and provide a minimum of 2 metres x 2 metres visibility splays on both sides. The existing pillars, access gates and frontage hedgerow that currently restrict visibility are to be removed and replaced with new 0.45 metre high dry stone walls either side of the access and across the road frontage of Unit B with the wall to the south east also being set back 2 metres from the highway boundary to maximise visibility from the access in this more critical direction. Notwithstanding that the achieved visibility splay in a south east direction (towards the brow of the hill) is still below LCC Highways design standard, the proposal provides a significant improvement to the existing access and currently available visibility that outweighs any additional impact from the increase in its use by the proposed additional unit. The level of additional traffic generated by the additional dwelling using the access is not considered to be on a scale likely to result in any significant adverse impact on highway safety and could be mitigated by the significant improvements proposed. In addition, adequate parking (two car spaces for each dwelling) and turning is provided within the site in accordance with LCC Highways design standards to enable vehicles to enter and leave the site in a forward direction which is not currently the case.

The scheme has been considered by Leicestershire County Council (Highways) who consider that the residual cumulative impacts of the development can be mitigated and are not considered to be severe and therefore raise no objections on highway safety grounds subject to a number of conditions to ensure provision of the proposed alterations/improvements to the vehicular access, provision of parking and turning, satisfactory surfacing, access gradient, visibility splays, drainage and gate restriction. Therefore there is no technical support for a refusal of the application on highway safety grounds.

Notwithstanding the objections received and concerns raised, which have been carefully considered, the scheme is not considered to result in any demonstrable adverse impact on

highway or pedestrian safety and is therefore in accordance with Policies BE1 (criterion g) and T5 of the adopted Local Plan.

Developer Contributions

Policies IMP1 and REC3 of the adopted Local Plan and the Play and Open Space SPD require new residential development to contribute towards the provision and maintenance of public play and open space facilities for children. The request for any developer 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, directly related and fairly and reasonably related in scale and kind to the development proposed. However, on 28th November 2014 the Secretary of State announced revisions to s.106 and CIL contributions and the NPPG. Following the announcement of the Secretary of State, the Council's ability to request affordable housing and other s.106 contributions on smaller sites has been removed. Contributions can not now be sought on developments less than 10 dwellings and therefore no contribution has been pursued in this case.

Other Issues

Policy NE2 of the adopted Local Plan requires that development should not suffer material harm from existing or potential sources of air pollution. Environmental Health (Pollution) advise that there are air conditioning units on the adjacent commercial premises close to Unit C of the scheme. However, no complaints have been received from existing residential premises and following a site visit it is considered that impacts from noise are not likely to be significant. However, it is suggested that potential mitigation measures, such as some form of noise barriers at source, should be discussed with the owner of the adjacent commercial premises and a note to applicant is recommended to this effect.

A Sustainability Statement has been submitted to support the application. This provides details of measures that would be incorporated into the development that would contribute to its sustainability in accordance with the intentions of paragraphs 93 - 95 of the NPPF.

Street Scene Services (Waste) recommend a condition requiring a scheme for the provision of a waste and recycling collection point adjacent to the highway. As there is enough space for additional bins from the proposed dwellings to be presented for collection at the highway boundary a condition is not considered to be necessary in this case.

Inaccuracies on the submitted Site Section drawing were addressed by the submission of an amended plan and re-consultation has been undertaken.

Objections have been received that the scheme, if approved, may lower adjacent property values but this is not a material planning consideration.

Conclusion

Paragraphs 14 and 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The Borough is currently unable to demonstrate a five year housing land supply and the application site is in a sustainable location within the settlement boundary of Groby where residential development is generally acceptable in principle and would contribute to the current shortfall of additional new dwellings identified for Groby in the adopted Core Strategy. Notwithstanding the objections received, which have been carefully considered, the layout, scale, design and appearance of the amended scheme, are considered to be acceptable and

together with the retention of the significant trees within the site, the proposal is considered to preserve the historic fabric and significance of the existing cottage, preserve the character and appearance of the wider GCA and the setting of the adjacent listed building and to result in a scheme that would be well integrated into its surroundings.

By virtue of the layout, scale, design and separation distances the amended scheme would not result in any adverse relationship to any neighbouring properties or result in any adverse overbearing/overshadowing impacts or loss of privacy from overlooking. It is considered that the proposed scheme would significantly improve access and egress to and from the site that would outweigh any impact from additional traffic as a result of the additional unit proposed and therefore the scheme would not result in any adverse impacts on highway or pedestrian safety. Archaeological issues raised can be adequately mitigated by the imposition of appropriate planning conditions.

Therefore, the proposal is not considered to result in any significant or demonstrable adverse impacts that would weigh against the presumption in favour of sustainable housing development supported in paragraphs 14 and 49 of the NPPF. The scheme is considered to be in accordance with Policy 8 of the adopted Core Strategy, Policies BE1 (criteria a, b, g and i), BE5, BE7 (criteria a, b, c and d), BE14, BE16, NE2, RES5 and T5 of the adopted Local Plan, the Council's SPG on New Residential Development and the overarching principles of the NPPF. The application is therefore recommended for approval subject to conditions.

RECOMMENDATION:- Grant subject to conditions.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, the character and appearance of the Groby Conservation Area and the setting of nearby listed buildings, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as it is a sustainable development within the settlement boundary of Groby which would contribute to the current shortfall in housing supply in Groby. In addition, by virtue of its layout, scale, design and appearance the proposal is considered to preserve the significance of the existing cottage, preserve the character and appearance of the wider Groby Conservation Area and the setting of the adjacent listed building and would not result in any adverse impacts on significant trees, archaeology, the amenities of the occupiers of neighbouring properties or highway safety.

Hinckley & Bosworth Core Strategy 2009:- Policy 8.

Hinckley & Bosworth Local Plan 2001:- Policies BE1 (criteria a, b, g and i), BE5, BE7 (criteria a, b, c and d), BE14, BE16, NE2, RES5 and T5.

In dealing with the application, through ongoing negotiation and the receipt of amended plans, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions:-

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

- 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. S115 (LP) 01 Rev A, Existing Plans drg.no. S115 (EX) 01, Existing Elevations drg.no. S115 (EX) 02 Rev A, Existing Site Plan drg.no. S115 (EX) 03 received by the local planning authority on 17 November 2014, Site Plan as Proposed drg.no. S115 (PL) 01 Rev B, Elevations & Sections Units A & B as Proposed drg.no. S115 (PL) 02 Rev C, Units A & B Floor Plans and Unit C Floor Plans, Elevations and Section drg.no. S115 (PL) 03 Rev D and Site Section A-A drg.no. S115 (PL) 04c received by the local planning authority on 28 April 2015.
- 3 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the new dwellings, and front boundary wall hereby permitted 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. The external materials to be used on the extensions and alterations to 20 Rookery Lane hereby permitted shall match the corresponding materials of the existing dwelling.
- 4 Before any development commences, full details of the window style, reveal, cill and header treatment, doors and conservation roof lights shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details.
- 5 Before any development commences, full details of the design and construction method of the new front boundary wall shall be submitted to and approved in writing by the local planning authority and the development shall be implemented in accordance with the approved details.
- 6 The development hereby permitted shall be implemented in accordance with approved proposed ground levels and finished floor levels submitted on Site Plan as Proposed drg.no. S115 (PL) 01 Rev B and Site Section A-A drg.no. S115 (PL) 04c received by the local planning authority on 28 April 2015.
- 7 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) proposed finished levels or contours
 - b) means of enclosure
 - c) hard surfacing materials
 - d) retained historic landscape features and proposals for restoration, where relevant
 - e) planting plans
 - f) written specifications
 - g) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
 - h) implementation programme.
- 8 The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. 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.
- 9 No demolition/development shall take place/commence until a programme of archaeological work (Historic Building Inspection and Recording and Archaeological

Attendance during ground-works) including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- a) the programme and methodology of site investigation and recording
 - b) the programme for post investigation assessment
 - c) provision to be made for analysis of the site investigation and recording
 - d) provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e) provision to be made for archive deposition of the analysis and records of the site investigation
 - f) nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- 10 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 9.
- 11 No new dwelling shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 9 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 12 Before first occupation of any new dwelling hereby permitted, the access shall be widened to a minimum of 4.6 metres and provided with 2 metres x 2 metres visibility splays on both sides of the access at the junction with Rookery Lane in accordance with the details shown on Site Plan as Proposed drg.no. S115 (PL) 01 Rev B. The access shall be surfaced with tarmacadam, block paving or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary. The access drive once provided shall be so maintained at all times thereafter.
- 13 The two proposed car parking spaces to serve Unit A as shown on Floor Plan drg.no. S115 (PL) 03 Rev D shall be provided and surfaced with tarmacadam, block paving or similar hard bound material (not loose aggregate) prior to completion of the extensions and alterations to Unit A and once provided shall not be obstructed and shall thereafter be permanently so maintained.
- 14 Before first occupation of any new dwelling hereby permitted, the vehicle parking and turning facilities to serve Units B and C shall be provided, hard surfaced and made available for use within the site in accordance with Site Plan as Proposed drg.no. S115 (PL) 01 Rev B. The vehicle parking and turning areas so provided shall not be obstructed and shall be so maintained at all times thereafter.
- 15 The gradient of the access drive shall not exceed 1:12 for the first 5 metres behind the highway boundary.
- 16 No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.
- 17 Before first occupation of either of the new dwellings hereby permitted, drainage shall be provided within the site such that surface water does not drain into the public highway and once provided shall be so maintained at all times thereafter.

- 18 Before any development is commenced 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.
- 19 Before development commences on the site, including site works of any description, trees T1, T2, T3, T4, T6, T7 and T27 indicated to be retained on Site Plan as Proposed drg.no. S115 (PL) 01 Rev B shall be securely fenced off by protective fencing on a scaffolding framework in accordance with B.S. 5837: 2012 erected in a circle round each tree at a radius from the bole in accordance with the root protection areas identified in section 4 of the submitted Arboricultural Report by John Crawshaw dated 14 July 2014. Within the areas so fenced off, the existing ground level shall be neither raised nor lowered and no materials, equipment, machinery, or temporary buildings or surplus soil shall be placed or stored thereon.

Reasons:-

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the development has a satisfactory external appearance to accord with Policies BE1 (criterion a) and BE7 (criterion d) of the adopted Hinckley & Bosworth Local Plan.
- 4 In the interests of visual amenity and to preserve the character and appearance of the Groby Conservation Area to accord with Policies BE1 (criterion a) and BE7 (criteria b and d) of the adopted Hinckley and Bosworth Local Plan.
- 5 To ensure that the development has a satisfactory external appearance and in the interests of visual amenity to accord with Policies BE1 (criterion a) and BE7 (criterion d) of the adopted Hinckley & Bosworth Local Plan.
- 6 To ensure that the development has a satisfactory appearance, in the interests of visual amenity and to protect the amenities of neighbouring properties to accord with Policies BE1 (criteria a and i) and BE7 (criterion b) of the adopted Hinckley & Bosworth Local Plan.
- 7 To enhance the appearance of the development to accord with Policies BE1 (criterion e), BE7 (criterion c) and NE12 (criteria a, b and c) of the adopted Hinckley & Bosworth Local Plan.
- 8 To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with Policy NE12 (criterion d) of the adopted Hinckley & Bosworth Local Plan.
- 9-11 To ensure satisfactory archaeological investigation and recording to accord with Policies BE14 and BE16 of the adopted Hinckley and Bosworth Local Plan and paragraph 137 and 141 of the National Planning Policy Framework.

- 12 To ensure that vehicles entering and leaving the site may pass each other clear of the highway and to reduce the possibility of deleterious materials (loose stones etc.) being deposited in the highway in the interests of highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 13 To ensure that adequate off-street parking facilities are available to serve Unit A and to reduce the possibility of deleterious materials (loose stones etc.) being deposited in the highway in the interests of highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 14 To ensure that adequate off-street parking and turning facilities are available to serve Units B and C in the interests of highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 15 To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 16 To enable a vehicle to stand clear of the highway in the interests of general highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 17 To reduce the possibility of surface water from the site being deposited in the highway in the interests of general highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 18&19 To ensure that the existing trees are adequately protected during construction in the interests of the visual amenities of the area to accord with Policies BE1 (criterion b), BE5 and Policy NE12 (criterion c) of the adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).
- 5 The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance or, alternatively assembled from units of one of the newer, modular systems, comprising cellular tanks and incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.

- 6 The access drive, parking and turning area, 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).
- 7 The applicant is reminded that the collection point for refuse and recycling is from the public highway and satisfactory arrangements will have to be made by the future occupiers of the site to present the relevant containers in a suitable position on collection days.
- 8 The applicant's attention is drawn to the proximity of Unit C of the scheme to the air conditioning units on the adjacent commercial premises whose typical hours of operation are 6am-6pm Monday to Friday and 6am-10am Saturday. There is potential for the air conditioning units to be audible in bedrooms with windows open. Mitigation against impact would be most effective at source (for example barriers adjacent to the air conditioning units to deflect sound away from Unit C. The developer should therefore consider approaching the commercial premises informally to discuss undertaking this work to protect the amenity of the future occupiers.
- 9 The applicant's attention is drawn to the consultation response of Leicestershire County Council (Archaeology). It is suggested that the historic building survey and recording includes the separate outbuilding that is to be retained within the site.
- 10 In relation to Condition 18, the Arboricultural Method Statement will need to secure, in advance, appropriate access facilitation pruning. The Tree Protection Plan should also detail underground service routes.

Contact Officer:- Richard Wright Ext 5894

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Reference: 14/01283/COU

Applicant: Mr Tuhel Miah

Location: 23 Station Road Ratby

Proposal: Change use from restaurant to a mixed use restaurant and hot food takeaway (retrospective)

RECOMMENDATION:- 1. Refuse planning permission
2. Authorise enforcement action to cease the unlawful use

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as Councillors O'Shea and Boothby have requested that a decision be made by Planning Committee so that members can consider how the development affects highway safety and impacts upon local residents.

Application Proposal

The application seeks retrospective planning permission for the change of use from a restaurant to a mixed use of a restaurant and hot food takeaway. The change of use, if permitted would allow the hot food take-away element to operate from the premises alongside the restaurant which is lawful.

Site and Surrounding Area

The property sits on the corner of Station Road and Chapel Lane with the majority of the premises fronting onto Station Road. The site is located within the Ratby conservation area, which is within the settlement boundary.

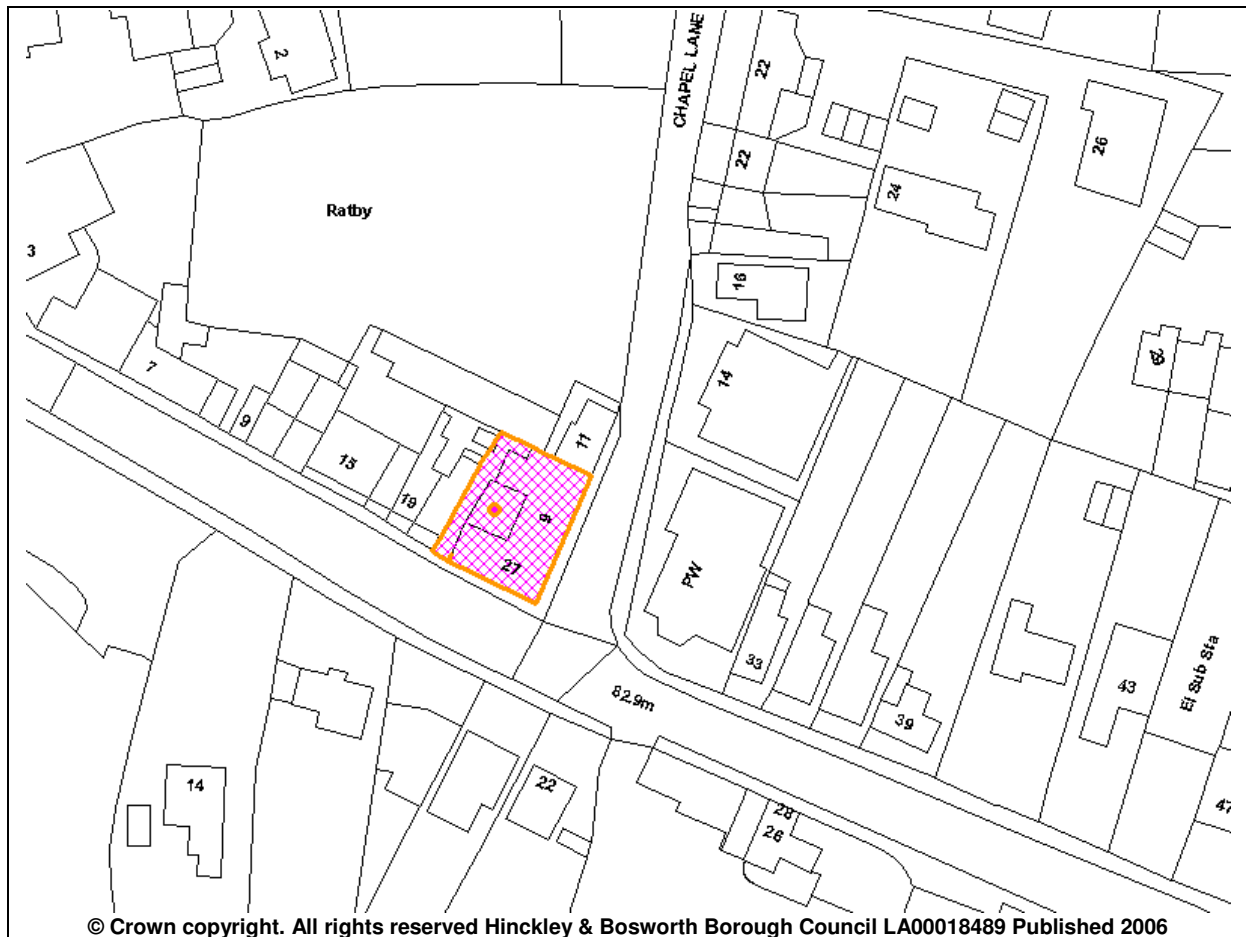
The property features large windows along Station Road elevation as part of a traditional shop frontage with the door to the premises located on the corner of Station Road and Chapel Lane. To the rear of the premises is a yard accessed via a passageway between No. 21 and the building, used for the storage of waste bins.

Adjacent to the premises is a row of traditional terraced residential properties No. 15 - No. 21. To the other side of Chapel Lane is Ratby Methodist Church. Directly opposite the site are a number of detached residential properties Nos. 16, 18 and 20 which are set back from the highway behind front gardens/driveways.

There is no off-street car parking within the site. Parking is available on street to the front of the property. Adjacent to the premises is a row of terraced houses which have on street parking available, on the opposite side of the road there are no restrictions in terms of parking and wait times.

Relevant Planning History:-

13/00350/COU	Change of use from A1 (Shop) to A3 (Café) (retrospective)	Approved	30.07.13
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Consultations:-

Environmental Health (Pollution) have raised concerns in regard to the application stating that the intensification of the use of the kitchen as a result of the takeaway service may increase odour in the area and impact on residential premises may arise. If the application is recommended for approval an appropriate condition to improve the ventilation of the premises would be required.

Conservation Officer - No objections

Leicestershire County Council (Highways) has objected to the application, raising concerns about vehicle parking and loading/unloading taking place in the public highway in the immediate vicinity of the site, in proximity to a road junction which impedes from the free flow of traffic, and leads to additional dangers to road users.

A site notice was displayed, an advert displayed in the Leicester Mercury and neighbours consulted on the application. Eight letters of objection have been received raising the following concerns:-

- a) no parking area for customers especially in the evening when the restaurant is open and resident's cars are parked on the street
- b) vehicles parking outside residential driveways obstructing visibility of residents who want to leave the property, due to vehicles parking in dangerous positions
- c) odour has become worse since a takeaway has been operating from the premises
- d) noise generated from the takeaway is unbearable
- e) growing amount of litter being generated to the front of the restaurant.

Policy:-

National Policy Guidance

The National Planning Policy Framework (NPPF) 2012

Hinckley & Bosworth Local Plan 2001

Policy BE1: Design and siting of development

Policy T5: Highway design and vehicle parking standards

Appraisal:-

The main considerations in determination of this application are:-

- Principle of development
- Impact on residential amenity
- Impact upon highway safety
- Enforcement Issues

Principle of Development

The premises is able to lawfully operate as a café/restaurant, which was granted planning permission in 2013. A variation to the restaurant's opening hours was approved in 2014. The site is located within the settlement boundary of Ratby. This is a sustainable location, being close to other community facilities. The principle of using this site for a food and drink use has been established by the grant of planning permission in 2013 and 2014. Introducing a take-away element to the use therefore does not conflict with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Impact on Residential Amenity

Policy BE1 of the adopted Local Plan is considered to have a high degree of conformity with the NPPF and can therefore be given significant weight in the determination of this application. The policy relates to the design and siting of development and seeks a high standard of design to safeguard and enhance the existing environment through a criteria based policy. Policy BE1 (criterion i) seeks to ensure that the development does not adversely affect the occupiers of neighbouring properties.

When considering this application one of the impacts is on noise and disturbance caused to local residents by the running of the take-away. With the running of a take-away there are more frequent customers visiting the premises which can result in more noise generated to local residents. There is also the concern that the customers visiting the premises will only be there for a short period of time, resulting in frequent and regular comings and goings. This constant movement of people in such close proximity to houses causes disturbance to local

residents. The situation is worse during the summer months when residents are more likely to spend time in their gardens or when occupiers open their windows.

There are neighbouring residential properties opposite and adjacent to the premises on Station Road. Concern has been raised by residents about the existing ventilation system. If the application is approved, environmental health has stated that a more substantial ventilation system would be required to disperse the odours away from residential properties. Ventilation for the existing café was considered acceptable by virtue of the fact that a limited range of hot food was prepared. Whilst ventilation is not part of the determination of this application, a number of complaints have been received by the Local Planning Authority in regard to noise and odour being generated from the current ventilation system. With the operating of a takeaway facility from the site this has intensified the use and introduced wider range of goods being cooked. This intensification in use is causing additional odour problems that is not being mitigated the installed ventilation system, which is having an adverse impact on the residential amenity of the neighbouring properties.

It is also worth noting that even if adequate changes are undertaken to the ventilation system, due to the proximity of the take-away to neighbouring residential properties the odour is likely to be difficult to disperse.

It is therefore considered that the change of use is having and would continue to have an adverse impact on the occupiers of neighbouring properties and is contrary to Policy BE1 (criterion i) of the adopted Local Plan.

Impact upon Highway Safety

Policy T5 of the Local Plan requires a suitable amount of off-street car parking to be provided to alleviate pressure for on-street parking. This is to avoid congestion and safety problems on the highway. Leicestershire County Council (Highways) have objected to the application stating that the nature of a takeaway use has resulted in vehicle parking and loading/unloading taking place in the public highway in the immediate vicinity of the site. This is in proximity to a road junction which impedes the free flow of traffic. As the premises faces onto Station Road there is no off-street car parking available, only street parking that is shared with local residents. This limits the amount of vehicles that are able to park on the street, particularly during evening hours when residents return from work.

It is considered that the intensification in the use of the premises has had an adverse impact upon highway safety. Furthermore, it has created an additional demand for on-street car parking which takes space away from local residents. Leicestershire County Council (Highways) has stated that the take-away encourages indiscriminate on-street car parking outside people's properties and close to the road junction. This view is supported by local residents. The take-away creates parking issues and impedes traffic flows and creates obstructions; the proposal is considered to be contrary to Policy T5 of the adopted Local Plan.

Enforcement Issues

The introduction of a hot food take-away into the restaurant has created a mixed-use business that does not have planning permission. For the reasons set out above, the intensification in the use of the premises is causing problems in relation to residential amenity and highway safety. As the use conflicts with planning policies, it is considered expedient to take enforcement action to cease the hot food take-away element of the use.

Members should be aware that as the use has changed to a mixed-use, planning conditions on the 2013 or 2014 permissions are no longer enforceable because the use is not operating

in accordance with either permission. This adds weight to the need to take enforcement action so that the use does not operate without controls in place relating the hours of use.

Conclusion

The continued use of the premises as a mixed restaurant/hot food take-away would cause problems in respect of noise and disturbance and highway safety, contrary to Policies BE1, and T5 as well as guidance contained within the NPPF. Furthermore, it is recommended that authorisation be given to take enforcement action to ensure that the hot food take-away element of the business ceases.

RECOMMENDATION 1:- Refuse planning permission.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

In dealing with the application, through ongoing dialogue and the proper consideration of the application in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the local planning authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance the matter of adverse impact on highway safety and impact on residential amenity remains in conflict with the development plan.

Reasons:-

- 1 In the opinion of the Local Planning Authority the use of the premises as a mixed restaurant / hot food take away has an adverse impact on the local road network due to an increase in the amount of vehicle parking and loading/unloading on the public highway. This is having and would continue to have an adverse impact upon highway safety contrary to Policy T5 of the adopted Hinckley & Bosworth local Plan and the overarching principles and intentions of the National Planning Policy Framework.
- 2 In the opinion of the Local Planning Authority, the use of the premises as a mixed restaurant/hot food take away has an adverse impact on the neighbouring residential properties due to noise, disturbance and odour in the surrounding area. This is contrary to Policy BE1, of the Hinckley & Bosworth Local Plan and overarching principles and intentions of the National Planning Policy Framework.

RECOMMENDATION 2:- That enforcement action be authorised to either:

- a) Cease the use of premises as a mixed restaurant/ hot food take-away; or
- b) Cease the hot food take-away element and revert the business back to a restaurant in accordance with planning permission ref. 14/00277/CONDIT

Time for Compliance: 2 Months from the date when the notice takes effect.

Contact Officer:- Craig Allison Ext 5700

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Reference: 14/01102/FUL

Applicant: Real Motorsport Ltd

Location: Mallory Park Circuit Church Road Kirkby Mallory

Proposal: Formation of new bunding, erection of acoustic fencing and reduction in size of existing pond

RECOMMENDATION:- Grant planning permission, subject to Leicestershire County Council (Ecology) removing their objection

Introduction:-

The application is to be considered at Planning Committee in accordance with the Scheme of Delegation as the Chief Planning and Development Officers considers it necessary to be considered by Members.

Application Proposal

The application seeks planning permission for the formation of new bunding with the erection of a new acoustic fencing. The proposal also seeks to reduce the size of two of the existing ponds. The racing circuit is located in the countryside to the South West of the village of Kirkby Mallory and is part of an established motor sport venue and tourist attraction. The applicant has stated that the purpose of these works is to reduce the noise impact from the operation of the circuit on nearby residents.

The site has operated as a motor racing site since the mid 1950s and has been subject to a noise abatement since 1985. Following legal action resulting from noise complaints received particularly since 2011 against the former operator, new noise notices were served on the current operators in 2014. Temporary noise barriers consisting of wooden panels and straw bales were constructed in 2014 to seek to reduce noise affecting particularly the Stapleton Lane area. Monitoring by officers was inconclusive as to the degree of attenuation provided by these temporary structures. This application proposes to extend existing bunding and for the replacement of these barriers with permanent structures.

With the application, the results of a full survey has been submitted to establish the gradients of the bund and the amount of material that is required to be imported onto site to undertake the required works. The gradient of the bund facing the racing circuit would be 1:3 and the slope to the rear would be at a gradient of 1:2. The total area of the site is 7,800 square metres and a total of 38,050 cubic metres would be imported to create the earth bunds. The material will be sourced from reputable buildings sites in and around the local area. All of the materials brought onto the site will be inert, including topsoil, rubbles and hard core. No material comprising vegetation, general rubbish, hazardous substances or indeed be biodegradable. To the top of the earth bund, at the Lake Essess corner, a continuous 3.54 metre high, acoustic fence would be installed around the bend. To the rear of the bunds are two existing ponds which will be reduced in size by a total of area of 2,920 square metres.

Technical Documents submitted with the application

Noise assessment
Ecology survey
Transport statement
Tree survey

An Independent Noise Assessment has been carried out by AAD Consultants on behalf of the Council (15 December 2014).

Relevant Planning History:-

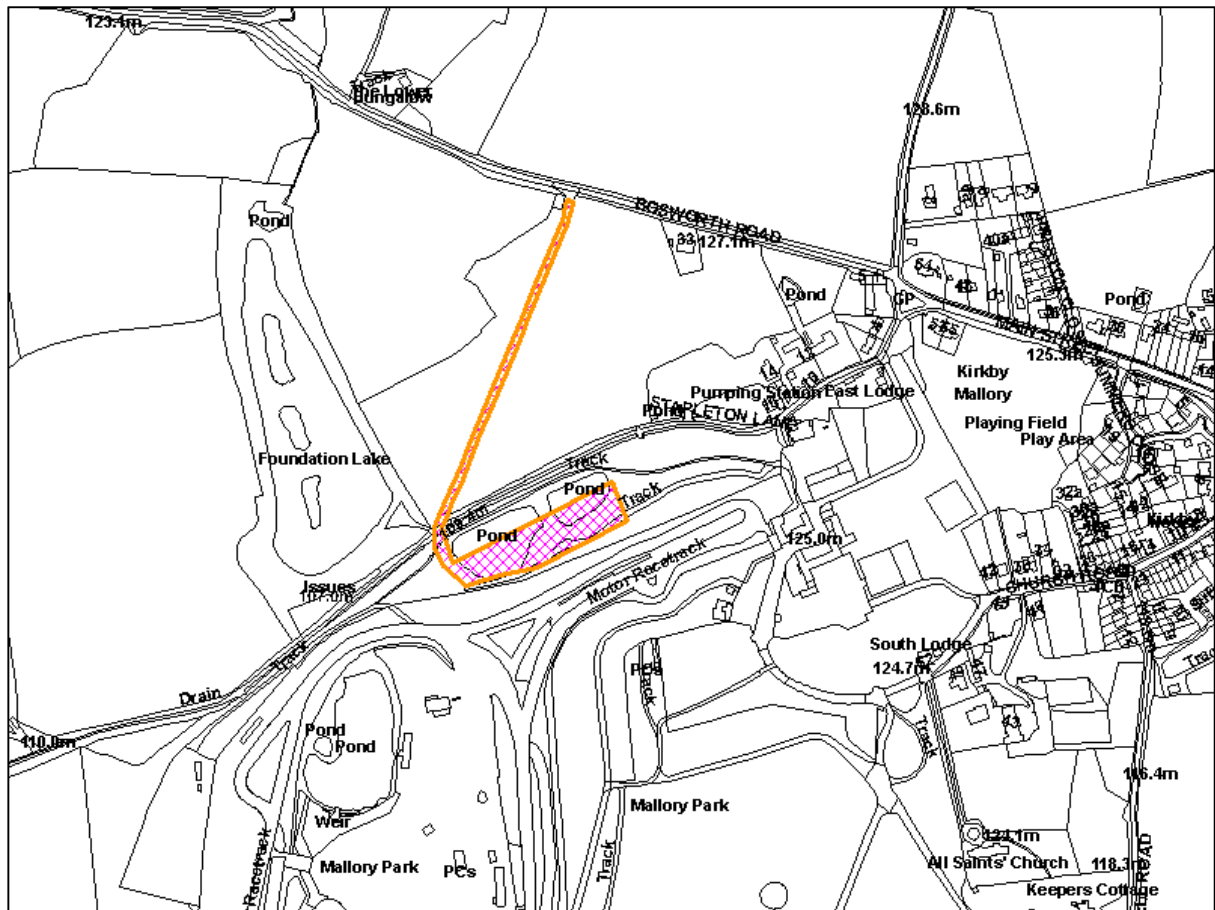
Borough Council Applications

Whilst there is a substantial planning history associated with the overall site, the most recent applications detailed below are the most relevant to this application.

13/00031/FUL	Regularisation of ground works carried out at Mallory Park circuit, including earth-bank and re-profiling of bank	Approved	09.12.14
12/01133/FUL	Regularisation of ground works carried out at Mallory Park circuit, including extension to run-off area, hard core track, earth bank pond and re-profiling of bank	Approved	09.12.14
09/00951/FUL	Ground works to create extension to run-off area of Circuit along with creation of earth bank and pond (This application is the same area of the track as approved application 12/01133/FUL)	Approved	17.02.10
08/00374/FUL	Re-profiling of land and creation of new earth bund to reduce noise pollution (Relates to the area at the northern part of the site between the Circuit and the Village)	Approved	15.09.08
06/01361/FUL	Re-profiling of Land and Reduction of Noise Pollution (Relates to the area at the northern part of the site between the Circuit and the Village)	Approved	07.03.07

County Council Applications

2012/CM/0149/LCC	Regularisation of tipping of inert waste and associated activities (This application is the same area of the track as the approved application 12/01133/FUL)	Approved	15.06.12
2010/0013/04	Tipping of inert waste to meet safety requirements for extra run-off area (This application is the same area of the track as the approved application 12/01133/FUL) -	Approved	18.03.10



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Consultations:-

No objections have been raised by:
 Environmental Health (Drainage)
 Leicestershire County Council (Highways)
 Severn Trent Water
 Environment Agency

Environmental Health (Pollution) has no objection subject to conditions.

At the time of writing an objection has been received from Leicestershire County Council (Ecology) in regard to the potential discovery of Great Crested Newts. They have indicated that this objection is likely to be overcome subject to additional follow up surveys within the breeding season.

Peckleton Parish Council has made the following comments in regard to the application:-

- a) the application should only be approved if it is shown by qualified and experienced engineers that the requested changes will bring about a significant and material lowering of the noise levels.

Neighbours have been consulted and two letters of objection have been received as summarised below:-

- a) within the acoustic report it states that an increase in noise of 3db should be dismissed as trivial, however this increase is doubling the sound intensity

- b) many of the earthworks undertaken have resulted in banks of soil facing the track at vertical angles of greater than 45 degrees which has resulted in sound being directly reflected back across the track and towards the village.
- c) the changes in the earth works surrounding the track the noise is amplified by the surrounding bunds and is being channelled into the village.
- d) the noise assessment undertaken has not taken into account varying weather conditions and does not show a rigorous scientific approach
- e) the tests undertaken were done by cars and not by motor bikes which can result in more noise due to the profiling of the vehicles
- f) the bund should be profiled so it would deflect the sound upwards instead of towards of the village.

Policy:-

National Policy Guidance

The National Planning Policy Framework (NPPF) 2012
 The National Planning Practice Guidance (NPPG) 2014
 Environmental Impact Assessment Regulations 2011
 Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management sets out the Government's policy objectives on waste, with the overarching intention to protect human health and the environment by producing less waste and re-using it as a resource wherever possible.

Hinckley & Bosworth Core Strategy 2009

Policy 13: Supports the development in the tourism industry in rural hamlets in line with
 Policy 23: Tourism Development
 Policy 21: National Forest
 Policy 23: States that tourism development for extended visitor attractions will be encouraged

Hinckley & Bosworth Local Plan 2001

The site lies in the countryside outside the settlement boundary of Kirkby Mallory as defined in the Hinckley and Bosworth Local Plan.

Policy NE5: Development in the Countryside
 Policy NE12: Landscaping Schemes
 Policy NE14: Water quality and ecology
 Policy BE1: Design and Siting of Development

Appraisal:-

The main considerations with regard to the application submitted are the principle of the development (including the tourism aspects), noise and its relationship to the surrounding countryside, biodiversity, highway safety and the amenities of the occupiers of neighbouring properties.

Principle of Development

Whilst both national government guidance in the National Planning Policy Framework and Policy NE5 of the adopted Local Plan seek to protect the character and appearance of the countryside for its own sake and from unnecessary development, it is recognised that certain forms of development, including those in connection with recreation, tourism or other land based activities which require a countryside location, are generally acceptable in principle.

Mallory Park Race Circuit is a major tourist and leisure attraction within the borough and holds prestigious events providing world-wide promotion of the locality. Following a number of noise nuisance abatement notices served in the past, the required works are proposed to reduce the amount of noise nuisance on the local village of Kirkby Mallory. Whilst the site is in a countryside location it is adjacent to, and part of, an established motor sports complex and the principle of development is, therefore, considered to be acceptable in this case in respect of policies 11, 13 and 23 of the Core Strategy and policies BE1 and NE5 of the adopted Local Plan.

Having considered all matters, it is considered that in principle, having regard to the track as a racing and tourist destination; the works are considered to be acceptable.

Relationship to Countryside and Biodiversity

Policy NE5 states that the countryside will be protected for its own sake. However, planning permission will be granted for built and other forms of development provided that it is either (a) important to the local economy or is (c) for sport or recreation purposes. Furthermore policy NE5 states that this only applies where (i) it does not have an adverse effect on the appearance or character of the landscape; (iii) is effectively screened by landscaping; and (iv) the development will not generate traffic likely to impair road safety. Further Policy NE12 requires development to take into account the existing landscaping features of the site and to make provision for further landscaping where appropriate. Policy NE14 requires the water quality and ecology of watercourses and groundwater resources to be protected.

At the time of writing, the local planning authority is awaiting a final ecology report to demonstrate that the development would not adversely impact upon Great Crested Newts. Leicestershire County Council (Ecology) has stated that there are unlikely to be any species on the site and this would overcome their objection. If protected species are found on site, the applicant would need to submit a mitigation strategy to demonstrate that the development would not cause harm. In view of importance of resolving this issue, it is recommended that delegated authority be given to officers to resolve these ecological issues before the planning permission is issued.

The earth bund construction will necessitate the removal of sixteen trees and the new bund gradient will prohibit new tree planting on the slope. It has been recommended that the existing laurel hedge be extended along the ridge of the new bund to screen the acoustic fence and tree losses be mitigated by planting elsewhere on the site at a rate of 2 new trees to one removed.

Overall, it would be appropriate to include a condition on the application, for the applicant to provide a landscape plan for implementation on the site at a later date; this planting can then be completed in an appropriate planting season to ensure ample growth of the new trees. Proposed landscaping measures would assist in securing the mitigation necessary to enhance the wider setting of the track and the further enhancement of protected species and the biodiversity of the area.

It is worth noting that under the two previous planning approvals of 13/00031/FUL and 12/01133/FUL there was conditions stating that landscaping should have been implemented within the last planting season. This landscaping has not been completed and is likely to be subject to the local planning authority taking enforcement action to ensure that the landscaping is completed within the next planting season.

Physical Relationship to Nearby Properties

Policy BE1 seeks to secure attractive development and to safeguard and enhance the existing environment. Development should complement or enhance the character of the surrounding area; avoid the loss of vegetation and features that contribute to the local environment and minimise the impact of the development on it; incorporate landscaping to a high standard; have regard to the safety of individuals and property and not adversely affect the occupiers of neighbouring properties.

The nearest properties to the Circuit are Brockey Farm over 400 metres to the south; Keepers Cottage over 500 metres to the north east; and the Oaks, which is approximately 100 metres to the west. Given these separation distances, the ground works themselves do not adversely affect any residential amenity directly in terms of the physical impact.

The village of Kirkby Mallory is located to the north and east of the Circuit. The proposed earth works will have a limited visual aspect due to the levels sloping away from the village and the distance from the main settlement. The same can be said for the impact on the wider surroundings. With appropriate landscaping the works will not have an adverse impact on the landscape character of the area and therefore would not conflict with policies NE12 and NE14 of the Local Plan.

Noise

The NPPF guides that planning policies and decisions should aim to:-

- a) Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development
- b) Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- c) Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- d) Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Policy BE1 seeks to secure attractive development and to safeguard and enhance the existing environment. It is noted that a majority of the work has been carried out in relation to the land tipping and the reprofiling of the bunds and therefore additional traffic movement in relation to these works would be minimal. The principal noise issue therefore relates to the impact of the bunding on the noise climate emanating from the track activity to neighbouring and nearby properties in Kirkby Mallory.

The noise reports submitted by the applicant's noise advisor were reviewed by officers and the noise consultant engaged by the Council. Further reports, comments and specifications submitted in response to comments have been received and further reviewed. The proposed 3.6 metre wooden panels topped by an offset 0.6 metre panel faced with noise absorbing material are to be installed on top of existing and extended bunds along Shaws Corner and tied into the main offices. The applicant has confirmed that the panels would be installed as a straight line as detailed in the submitted plans rather than the saw tooth design detailed in the noise report. Whilst there has been discussion relating to the scope of the noise reports, officers and the Council's noise consultant have concluded that the faced panels should minimise any risk of noise reflecting off the barrier towards any noise sensitive properties. The 25mm thick plywood should ensure that noise passing through the barrier will not add anything to the noise passing over and around the barrier due its density. On the face of it

therefore the proposed barrier design should provide noise reductions of 10dBA or better for those properties it is designed to protect and there should be little or no risk of reflected sound giving rise to increased noise levels in other parts of the village.

Highway Issues

As a result of the previous planning permissions at Mallory Park Racing Circuit involving the importation of materials, an appropriate route was identified for associated traffic to avoid unsuitable vehicle movements through the village of Kirkby Mallory. Furthermore a temporary traffic signal system was installed on Barwell Lane at its junction with the applicant's private track leading to Shilton Road. A condition is added to make sure the haul routes and traffic management plan is submitted to ensure that there are no highway safety issues in the construction of the bunds. This is consistent with other works.

Conclusion

The extension of the earth bund and the erection of a permanent acoustic fencing has been shown by various acoustic specialists that the sound within the village should give little or no risk of reflected sound giving rise to increased noise levels in other parts of the village. More appropriate planting is to be undertaken which would respect the overall character and appearance of the local landscape and has the potential to provide habitats for wildlife as well as support a key tourism destination in the Borough. The application is therefore recommended for approval subject to appropriate conditions.

RECOMMENDATION:- Grant planning permission, subject to Leicestershire County Council (Ecology) removing their objection

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the patten of existing development in the area, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan.

Hinckley & Bosworth Core Strategy 200):- Policies 13, 21 and 23.

Hinckley & Bosworth Local Plan 2001:- Policies NE5, NE12, NE14, BE1 and T5.

Conditions:-

- 1 The development shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Topographical Survey (Drawing Number: S1318/01, Scale 1:500) received by the Local Planning Authority on the 19 February 2015 Proposed Bund Re Profile (Drawing Number: S1303/02 Revision B, Scale: 1:500) received by the Local Planning Authority on the 25 February 2015.

3 No development shall commence until full details of soft landscaping works and tree planting have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- a) Planting plans
- b) Written specifications
- c) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate

The approved landscaping scheme shall be commenced in accordance with the approved details and implementation programme in the first available planting season. 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.

4 Prior to the commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall details how, during the site preparation and construction phase of the development, the impact on existing residential premises and the environment shall be prevented or mitigated from dust, noise, smoke, light and land contamination. This should include identified haul routes and traffic management. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints.

5 No waste materials shall be burnt on the site at any time during the construction phase

6 Construction shall be limited to the following hours;

- a) Monday to Friday: 08:00 to 18:00
- b) Saturday: 08:30 to 13:30
- c) No working on Sundays and Bank Holidays

Reasons:-

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

2 To define the permission.

3 To ensure adequate landscaping is planted to enhance the appearance of the area and is maintained in accordance with policies NE5 and NE12 of the adopted Local Plan and the aims and objectives of the National Planning Policy Framework.

4-6 To protect the amenity of residents and the environment during construction in accordance with policies BE1 of the adopted Local Plan

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).
- 5 Prior to any soil being imported onto the site the applicant has to comply with CL:AIRE Definition of Waste: Development Industry Code of Practice (CoP); Applying for an Environmental Permit from the Environment Agency under the Environmental Permitting Regulations 2010. The applicant should contact the Environment Agency Officer Andrew Staufenbiel (0116 237 6990) to discuss the above two issues further. Andrew must be contact before any waste soil is imported onto the site.

Contact Officer:- Craig Allison Ext 5700

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Reference: 15/00172/FUL

Applicant: Bloor Homes Ltd

Location: Land To The West Of 1 Summers Close Kirkby Mallory

Proposal: Erection a dwelling with associated parking, landscaping and infrastructure

RECOMMENDATION:- Grant subject to conditions.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it has received five or more objections and the recommendation is contrary to the nature of the objections received.

Application Proposal

This is a full application for the erection of a two storey four bedroomed dwelling and a double garage to the land west of 1 Summers Close.

The proposed dwelling would have a projecting gable to the front elevation (facing Summers Close) with an inset doorway. The dwelling would be of dual frontage design addressing Main Street with a projecting chimney breast, a bay window and brick detailing to windows. The proposal would measure 8.9 metres in height to the ridge and have a footprint of 10.9 metres x 9.8 metres.

The detached double garage would be of brick and tile construction having a pitched roof, with a ridge height of 4.3 metres and a footprint of 6.2 metres x 6.5 metres. This would be situated within the south western corner of the site and accessed off Summers Close.

The proposed boundary treatment to Summers Close (eastern boundary of the site) and to the southern boundary of the site would be a 1.8 metre high brick wall with piers and blue engineering bricks to detail. To the west elevation a 1.8 metre high close boarded fence is proposed.

The proposed access point is from Summers Close, to the rear of the site.

Application Site

The site comprises a plot of land to the north of dwellings on Summers Close. The site has boundaries with both Main Street and Summers Close. The site is bound by residential properties to the north, east and south and a large open space to the west. The site is currently overgrown, and is enclosed by a dwarf wall facing Main Street and wooden post and rail fencing. The site and the open space is separated by a hedgerow.

There is a varied mix of designs and types of properties within the area. Summers Close, is characterised by large semi-detached dwellings, with some variations in design including projecting gables, bay windows and chimneys and Main Street, has a strong mix of design, scale and appearance of dwellings.

Relevant Planning History:-

Application ref (90/00561/4) for residential development comprising 13 dwellings, conversion of barn to one dwelling and the extension to cricket field was granted permission subject to a Section 106 agreement which agreed that the application site and the land to the south would be transferred as open space to the Parish Council. This application was not implemented and subsequently lapsed. Following this a further permission was granted (94/00693/FUL) for the erection of 18 detached houses. This application was not subject to a S106 agreement requiring the current application site to be handed over as public open space. This permission was implemented and is now know as Summers Close. Accordingly the application site and the parcel of land to its south have remained undeveloped.

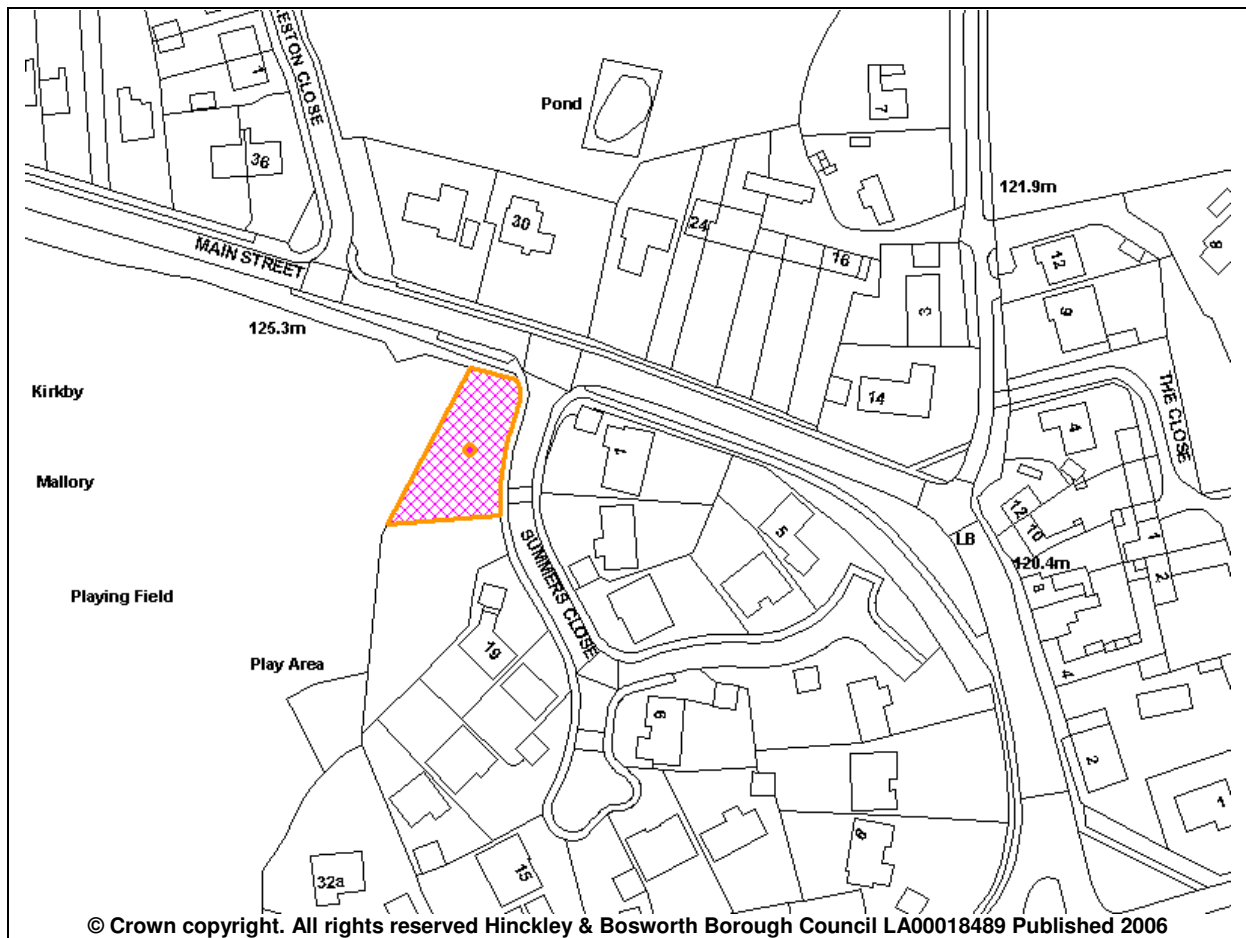
Since the approval of Summers Close, two applications for the site and the area to the south have been submitted. One of these was withdrawn (97/00079/FUL) and the other was dismissed at appeal (02/00376/FUL). This appeal was dismissed on two grounds the first being the unacceptable erosion of the Area of Special Character in relation to the deficiency of informal open space and the impact this would have on the character of the area and the second related to the impact of the proposed development upon residential amenity.

Following the dismissed appeal planning permission for one dwelling on the land to the south was approved (03/01286/FUL).

The relevant application references are:-

Applications which include the application site

02/00376/FUL	Erection of two detached houses and garages	Appeal Dismissed	24.06.03
97/00079/FUL	Erection of two detached dwellings and garages	Withdrawn	
94/00693/FUL	Erection of 18 detached houses	Permitted	14.12.94
90/00561/4	Residential development comprising 13 dwellings conversion of barn to one dwelling and extension to cricket field -	Outline permitted	21.10.91



Consultations:-

No objections have been received from:-

- Environmental Health (Drainage)
- Street Scene Services (Waste)
- Leicestershire County Council (Highways)

No objection subject to conditions has been received from Environmental Health (Pollution)

Peckleton Parish Council have objected to the application on the following grounds:-

- a) the land was previously identified as public open space
- b) the application is contrary to Core Strategy Policy 19
- c) the site is outside the defined settlement boundary for Kirkby Mallory in the Site Allocations and Development Management Policies DPD.

A site notice has been displayed and neighbours notified. Representations have been received from four separate addresses raising the following concerns:-

- a) site was identified as land to be transferred to the Parish Council for open space in a 1991 Section 106 agreement
- b) permission was dismissed at appeal and nothing has changed
- c) land is designated as open space/land of special character under BE19 in the Local Plan
- d) currently tended and enjoyed by villages as an amenity of an established residential area

- e) does not compliment neighbouring properties in its design, plot size, layout and proximity to the footway
- f) 'cramming' in development
- g) detrimental impact upon open appearance and character of the village and entrance to the close
- h) loss of on road parking
- i) overlooking to front garden
- j) unsustainable and will create more pressures to village facilities and further cars
- k) recent survey concluded residents of Kirby Mallory do not want any further housing
- l) give consideration to construction traffic
- m) development may lead to on street parking
- n) will remove access from close to recreational ground.

Policy:-

National Policy Guidance

The National Planning Policy Framework (NPPF) 2012
 The National Planning Practice Guidance (NPPG) 2014
 Community Infrastructure Levy (CIL) Regulations 2010

Hinckley & Bosworth Core Strategy 2009

Policy 13: Rural Hamlets
 Policy 19: Green Space and Play Provision
 Policy 24: Sustainable Design and Technology

Hinckley & Bosworth Local Plan 2001

Policy RES5: Residential Proposals on Unallocated Sites
 Policy BE1: Design and Siting of Development
 Policy BE19: Open Spaces and Areas of Special Character within Settlements
 Policy T5: Highway Design and Vehicle Parking Standards
 Policy IMP1: Contributions towards the Provisions of Infrastructure and Facilities
 Policy REC3: New Residential Development Outdoor Play Space for Children
 Policy NE2: Pollution

Supplementary Planning Guidance/Documents

New Residential Development SPG (2001)
 Site Allocations and Development Management Policies DPD (Submission Document - December 2014)

Appraisal:-

The main considerations in the determination of this application are:-

- Principle of Development
- Impact on the Character of the Area
- Relationship with Neighbouring Properties
- Impact upon the highway
- Developer Contributions
- Other Issues

Principle of Development

Paragraph 11 - 13 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that it is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009) and the saved policies of the Local Plan (2001).

Paragraph 14 of the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved.

Core Strategy

Policy 13 of the Core Strategy (2009) identifies Kirkby Mallory as a rural hamlet, which has limited facilities and generally relies on Key Rural Centres or surrounding urban areas. The policy restricts development to infill housing, local choice scheme and conversion of agricultural buildings to employment uses within settlement boundaries. In this case, the site would be well related to the village and on the edge of an existing residential estate, it is therefore considered that the proposal comprises infill development and would therefore be in accordance with policy 13 of the Core Strategy (2011).

Local Plan

The site is identified as being located within the settlement boundary of Kirby Mallory in the Hinckley & Bosworth Local Plan (2001); however the site is not allocated for residential development and thus Policy RES5, residential development on unallocated sites would apply. This policy seeks to direct development to the most sustainable locations. As this site is within the settlement boundary of Kirkby Mallory, the development would be in accordance with Policy RES5.

Additionally this site forms part of a wider designation identified in the Local Plan (2001) as an open space and an area of special character, under policy BE19.

Emerging Site Allocations and Development Management Policies Development Plan Document (DPD)

Within the emerging Site Allocations & Policies DPD the site is designated as open space together with the wider open space to the west, under policy DM8 - Safeguarding Open Space, Sport and Recreational Facilities. Policy DM8 of this document states that planning permission will not be granted for proposals resulting in the loss of land or buildings in recreational or sporting use and areas of open space, except when it is demonstrated that there is a surplus of recreational land, facilities or open space of the same typology exceeding the needs of the local community.

As this document is at an advanced stage and has been submitted for examination, it comprises a material consideration and carries some weight in regards to the determination of this application.

The designation of open space, sports and recreation facilities is based upon the evidence based document Open Space, Sport & Recreational Facilities - PPG17 Study (July 2011) . This study classifies open space into eight categories:-

- a) Formal Parks and Gardens
- b) Natural and Semi Natural
- c) Amenity Green Space

- d) Provision for Children
- e) Provision for Young People
- f) Outdoor sports
- g) Allotments
- h) Cemeteries and Churchyards

Section 13 of the PPG17 Study identifies that the quantity of amenity green space in the ward of Peckleton, which includes Kirkby Mallory, is above the recommended national standards.

Historically the application site has been linked with the open space to the west, in regards to its designation; however the site has not historically and does not currently relate well to the open space to the west. The site is unmaintained and does not comprise a usable recreational space. This position is evidenced by the historic aerial photography and the sites planning application history.

It is considered that the site is classed as amenity greenspace, as it does not fit any other identified criteria within the PPG17 study. Accordingly, whilst this open space provided by the application site would be lost through this development, given the existing surplus of open space within the settlement, the resultant harm is considered minimal and would be outweighed by other benefits of the scheme.

Based on the above the scheme is considered to comprise a sustainable form of development, in accordance with the NPPF, and would contribute towards the borough's housing shortfall and five year housing land supply.

The development is therefore considered acceptable in principle and would be in accordance with policy 13 of the Core Strategy (2009) and Policy RES5 of the adopted Hinckley and Bosworth Local Plan.

Impact on the Character of the Area

Policy BE1 (criterion a) of the adopted Local Plan 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 with the intention of preventing development that is out of keeping with the character of the surrounding area. The Council's adopted Supplementary Planning Guidance on New Residential Development aims to ensure that new development has regard to the character of the area and is well integrated into its surroundings. Additionally policy BE19 seeks to protect open areas of land or visual breaks between buildings identified as making a contribution to the special character of a settlement.

Whilst the site is undeveloped it is unmaintained and appears as surplus land from a previous development. The site does not relate well to the open space to the west and as such is not considered to provide an important break between buildings or contribute to the special character of the village of Kirkby Mallory. The development of a single dwelling on the site would enhance the character of the area and would complete the Summers Close development.

The character of the built environment along Main Street differs significantly from plot to plot in regards to design, scale and materials. There is variation between the design of dwellings on Summers Close; however all are detached two storey dwellings with garages. Design features differ slightly, however the majority of dwellings include projecting gables, chimneys, bay windows and window detailing.

The proposal would be dual fronted. The principle (east) elevation to Summers Close would have a projecting asymmetric gable with an inset door way and the elevation facing Main Street (north elevation) would include an external chimney breast with a bay window and window detailing. It is considered that the design of the scheme is acceptable and does not detract from the existing character of the surrounding area.

The proposed garage is positioned to the southern area of the site and is set back from the highway. It would be of pitched roofed design with two garage door openings. By virtue of its set back position, it would not appear as a dominant feature within the street scene, and would not be detrimental to the character of the area.

Details of the boundary treatment have been submitted with this application. The details propose a 1.8 metre high wooden fence along the western boundary, which runs adjacent to the open space. To the southern elevation a 1.8 metre brick wall is proposed, which would form the boundary to the residential properties on Summers Close. No boundary treatment is proposed to the northern boundary (with Main Street), and as such an open aspect will be retained to the sites frontage. These proposed boundary treatments are considered acceptable and in keeping with the character of the area.

Notwithstanding the above, a 1.8 metre brick wall is proposed along the eastern boundary of the site, facing Summers Close. This would be an uncharacteristic boundary treatment for the area and would result in a fortress type feel. The boundary treatments along Summers Close are varied, the majority being hedgerow. This said, there are a number of examples of dwarf brick walls with wooden fencing above. Whilst the proposed brick wall would be set back from the footway by 3 metres, it would enclose the plot and result in a harsh, blank frontage to the highway. It is therefore considered that the boundary treatment proposed for the eastern boundary would be detrimental to the character of the area. It is therefore recommended that a condition requesting further details of boundary treatment along the eastern elevation be submitted for approval.

For the reasons above, it is considered that subject to the inclusion of a condition to secure boundary treatment to the eastern elevation, the development would not adversely affect the character of the area and would be in accordance with policy BE1 (criterion a) of the Hinckley & Bosworth Local Plan (2001).

Relationship with Neighbouring Properties

Policy BE1 (criterion (i)) of the adopted Local Plan and SPG require that new residential development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties. The nearest neighbouring properties are 1 Summers Close to the east of the site, the approved scheme for a dwelling to the south of the site and to the north, 30 Main Street .

The dwelling would be located within the northern section of the site, to maximise the separation distances between the proposal and the proposed dwelling to the south. As such it is not considered that there would be any arising issues in terms of overlooking or privacy between these dwellings.

The eastern elevation of the proposed dwelling would face 1 Summers Close. The separation distance between the two would be over 20 metres. Although this distance would be slightly less than that recommended within the SPG, given that the internal access road would separate the dwellings, this relationship is considered acceptable. The proposal would not overlook any private amenity space and the front garden is open to the street. It is therefore considered that this proposal would not cause a detrimental impact to the residential amenity of 1 Summers Close.

30 Main Street is situated to the north of Main Street and is substantially set back from the street scene. It is therefore considered that this proposal would not have an adverse impact on the residential amenity of this dwelling.

Based on the above, it is therefore considered that the proposal would not have a detrimental impact upon neighbouring amenity and would therefore be in accordance with Policy BE1 (criterion i) of the Hinckley & Bosworth Local Plan (2001).

Highway Safety

Criterion (g) of Policy BE1 seeks to ensure that there is adequate highway visibility for road users and adequate provision of parking and manoeuvring facilities. Policy T5 applies highway design and vehicle parking standards.

The proposed access would be from Summers Close. As a result of the set back nature of adjacent boundary treatments and dwellings, the access is considered to have adequate visibility in both directions.

The proposal provides parking for up to four vehicles, including a double garage. This is considered in accordance with the parking standards outlined in appendix D of the Local Plan (2001).

It is therefore considered that this proposal would not detrimentally impact highway safety and is therefore in accordance with policies BE1 (criterion g) and T5 of the adopted Hinckley and Bosworth Local Plan.

Developer Contributions

Policies IMP1 and REC3 of the adopted Local Plan and the Play and Open Space SPD require new residential development to contribute towards the provision and maintenance of public play and open space facilities for children. The requirement for any developer 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, directly related and fairly and reasonably related in scale and kind to the development proposed. However, on 28th November 2014 the Secretary of State announced revisions to s.106 and CIL contributions and the NPPG. Following the announcement of the Secretary of State, the Council's ability to request affordable housing and other tariff style s.106 contributions on smaller sites (which would include play and open space contributions) has been removed. Such contributions can not now be sought on developments less than 10 dwellings and therefore no contribution has been pursued in this case.

Other Matters

Noise Pollution

Policy NE2 (criterion b) of the Local Plan seeks to protect development from material harm from existing or potential sources of air pollution. Existing residents of Kirkby Mallory have raised noise issues relating to the operation of Mallory Park racing circuit which lies approximately 285 metres to the west. Environmental Health (Pollution) has therefore recommended that noise mitigation measures are incorporated into the design and construction of the dwelling. It Therefore a condition which requests the submission of a Noise Mitigation Scheme is recommended and it is considered that this is reasonable and that necessary to protect the amenity of the future occupiers of the dwelling.

RECOMMENDATION:- Grant subject to conditions.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as it would be sustainable development and would not result in any adverse impacts in terms of residential amenity or highway safety and by virtue of its design and siting would be in keeping with the character of the area.

Hinckley & Bosworth Core Strategy 2009:- Policies 13, 19 and 24.

Hinckley & Bosworth Local Plan 2001:- Policies RES5, BE1, BE19, IMP1, REC3 and T5.

In dealing with the application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, Dwg nos MI33-SL-001 - Proposals; MI33-SL-LOC-01 - Location Plan and GL2.P[SG]01 Rev C - Single Paired Garage all submitted 25 February 2015.
- 3 No development shall commence until details of the external facing and roofing materials have been submitted to and agreed in writing by the local planning authority. The development shall then be carried out in accordance with those approved details.
- 4 Details of the proposed ground levels of the site, and proposed finished floor levels shall be 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.
- 5 Notwithstanding the submitted plans no development shall commence until full details of the boundary treatments for the development are submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.
- 6 No development shall commence until a Noise Mitigation Scheme is submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reasons:-

- 1 To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the development has a satisfactory external appearance to accord with Policy BE1 (criterion a) of the adopted Hinckley and Bosworth Local Plan 2001.
- 4 In the interests of visual amenity, to accord with Policy BE1 (criterion a) of the adopted Hinckley and Bosworth Local Plan 2001.
- 5 To ensure the development is in keeping with the character of the area, to accord with Policy BE1 (criterion a) of the adopted Hinckley and Bosworth Local Plan 2001.
- 6 To ensure the amenity of the future occupiers of the dwelling is protected to accord with Policy BE1 (criterion i) and NE2 (criterion b) of the adopted Hinckley and Bosworth Local Plan (2001).

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).
- 5 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 the necessity of discharging some surface water off-site, flow attenuation methods should be employed, either alone of, if practical in combination with infiltration systems and/or rainwater harvesting systems.
- 6 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 discarding to an approved outlet (see Environment Agency guidance on the permeable surfacing of front gardens).

Contact Officer:- Helen Wilson Ext 5691

Reference: 14/01250/OUT

Applicant: Mr & Mrs Pocklington

Location: Park House 62 Main Road Sheepy Magna

Proposal: Erection of 5 dwellings (outline - access and layout)

RECOMMENDATION:- Grant subject to conditions.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it has received 5 or more objections and the recommendation is contrary to the nature of the objections received.

Application Proposal

Outline planning permission is sought for the erection of 5 dwellings. Access and layout are for detailed consideration through this application. Matters including appearance, landscaping and scale are reserved for consideration at a later date.

The proposal includes the creation of a new access point from Main Street and the closing up of the existing access from Park View. The access driveway which currently serves Park House and Pinewood House is to be retained and used by the proposed development.

The Site and Surrounding Area

The site is approximately 0.39 hectares in size and is located to the rear of the properties along Park View. The site lies outside the settlement boundary to Sheepy Magna in the Hinckley & Bosworth Local Plan (2001); however the Site Allocations and Development Management Policies DPD (submission document) has included the site within the settlement boundary of Sheepy Magna.

The site currently comprises part of the residential curtilage associated with Park View. The site comprises of maintained grassland and there are two small outbuildings/shed located centrally within the site. The land rises gently to the west. There are several groups of trees along the southern and eastern boundaries of the site, which includes a group of pollarded Poplars and several silver birches. Additionally a group of trees sit along the proposed boundary to Park House, which are of a varied species and maturity. No trees on site are protected by a Tree Preservation Order.

The site is currently accessed from Park House via a shared gravelled driveway which serves both Park View and Pinewood House. This driveway is tightly bound by solid close boarded fencing to the south and mature trees to the north.

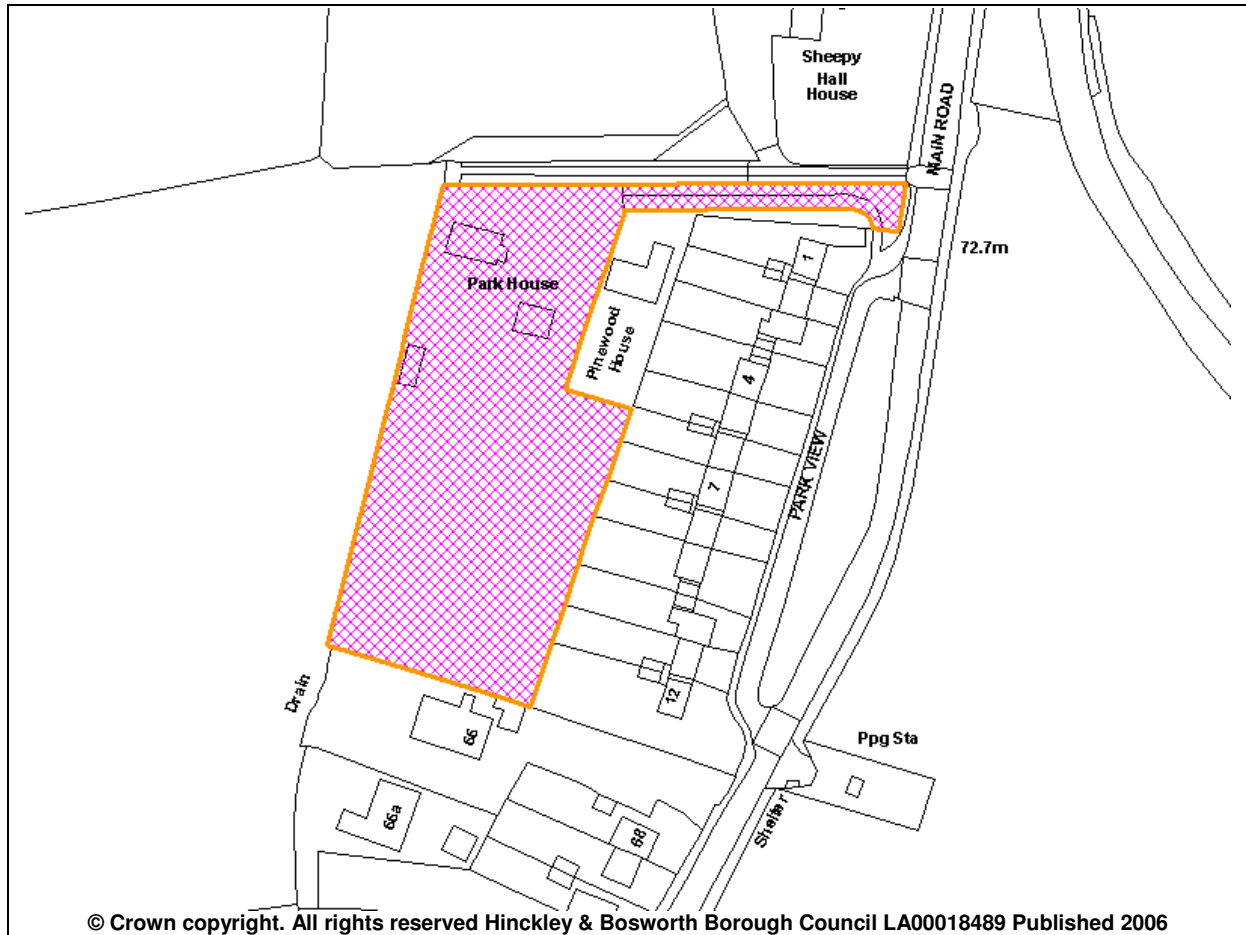
During the course of the application, in response to concerns raised by the Officer and as a result of public consultation, an amended layout has been submitted. This has reduced the scheme by one dwelling.

Technical Documents submitted with the application

Design and Access Statement
Planning Statement

Relevant Planning History:-

None relevant.



Consultations:-

No objection, subject to conditions, has been received from:-

- Environment Agency
- Severn Trent Water
- Leicestershire County Council (Highways)
- Leicestershire County Council (Archaeology)
- Leicestershire County Council (Lead Local Flood Authority)
- Environmental Health (Pollution)
- Environmental Health (Drainage)
- HBBC Street Scene Services (Waste)

Sheepy Parish Council have objected to the application on the following grounds:-

- a) development is outside the settlement boundary
- b) the development is too big and out of character with the area
- c) the bungalow at number 66 would be overlooked

- d) access to Main Road would be dangerous and several accidents have occurred in close proximity to the application site
- e) area is prone to flooding and there have been historic problems relating to foul sewage disposal
- f) Hinckley & Bosworth have a 5 year land supply and do not need any more houses to be built
- g) Sheepy Magna have achieved the housing figure quoted in the Core Strategy

A site notice has been displayed and neighbours notified. Representations have been received from nine separate addresses and County Councillor Ould, on behalf of his constituents, raising the following concerns:-

- a) planning application is premature as Site Allocations and Development Management Policies DPD not yet adopted and currently site falls outside the settlement boundary
- b) land potentially designated as agricultural/has an agricultural tie or a covenant on the land
- c) land is paddock land and not residential garden
- d) unsuccessful application for a bungalow on the site approximately 30 years ago
- e) concerns with access width and ability to drive into the access from the direction of Atherstone, no pedestrian footpath and no access for oil tankers waste vehicles into the site
- f) access will be used by over 20 vehicles, with no passing, and will cause issues with reversing out of the drive and garage to Pinewood House
- g) concerns with visibility of the access
- h) historic flooding issues to Parkview and surrounding dwellings properties and 64 and 62 Main Road
- i) impact upon the mature trees along the access track
- j) impact upon amenity of neighbouring residential properties, including overlooking, noise, loss of views of countryside, loss of light, pollution from additional vehicles
- k) loss of birds and wildlife visiting gardens, more houses will bring cats and dogs which will devastate the wildlife
- l) impact upon the local school, which the development will not contribute towards and its limited room for expansion
- m) Hinckley & Bosworth Borough Council has a five year land supply
- n) Sheepy Magna was allocated a further 20 dwellings in the Core Strategy, which will significantly pass the target set in the Core strategy and the development is therefore surplus to requirements
- o) impact upon trees.

Policy:-

National Policy Guidance

The National Planning Policy Framework (NPPF) 2012
 The National Planning Practice Guidance (NPPG) 2014
 Community Infrastructure Levy (CIL) Regulations 2010

Hinckley & Bosworth Core Strategy 2009

Policy 12: Rural Villages
 Policy 19: Green Space and Play Provision
 Policy 24: Sustainable Design and Technology

Hinckley & Bosworth Local Plan 2001

Policy RES5: Residential Proposals on Unallocated Sites
Policy NE5: Development within the Countryside
Policy NE13: The Effects of Development on Natural Watercourses
Policy BE1: Design and Sitting of Developments
Policy BE13: Initial Assessment of Sites of Archaeological Interest and Potential
Policy BE14: Archaeological Remains
Policy BE15: Preservation of Archaeological Remains in Situ
Policy BE16: Archaeological Investigation and Recording
Policy T5: Highway Design and Vehicle Parking Standards
Policy IMP1: Contributions towards the Provisions of Infrastructure and Facilities
Policy REC3: New Residential Development Outdoor Play Space for Children

Supplementary Planning Guidance/Documents

New Residential Development (SPG)
Site Allocations and Development Management Policies Development Plan Document
(Submission Document) - December 2014

Appraisal:-

The main considerations in the determination of this application are:-

- Principle of development
- Impact upon the character of the area
- Impact upon neighbouring amenity
- Highway considerations
- Drainage and flood risk
- Archaeology

Principle of Development

Paragraph 11 - 13 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that it is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009) and the saved policies of the Local Plan (2001).

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 means:

- Approving development proposals which accord with the development plan without delay, and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless;
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole, or
 - Specific policies in the NPPF indicate development should be restricted.

Core Strategy

Policy 12 of the adopted Hinckley & Bosworth Core Strategy (2009) identifies Sheepy Magna as a Rural Village. Rural Villages are identified as less sustainable than the Key Rural

Centres, however limited development, within the settlement boundary, is supported in these areas to ensure existing services, particularly primary schools are supported. Policy 12 of the Core Strategy also states that a minimum of 20 new homes will be allocated in Sheepy Magna.

Emerging Site Allocations and Development Management Policies Development Plan Document (DPD)

Whilst the site is located outside the settlement boundary of Sheepy Magana within the Hinckley & Bosworth Local Plan (2001), the emerging Site Allocations and Development Management Policies DPD (submission document - December 2014) proposes an amendment to the settlement boundary. As a result of this, the site would be situated within the settlement boundary. As this document is at an advanced stage and has been submitted for examination, the document comprises a material consideration and carries some weight in regards to the determination of this application.

Housing Land Supply

Paragraph 47 of the NPPF states that local authorities should identify and update annually a supply of deliverable sites sufficient to provide five years worth of housing against their housing requirements. They should also provide an additional buffer of 5% (moved forward from later in the Plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, authorities should increase the buffer to 20% (moved forward from later in the Plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

On the 11 March 2015 appeal decision ref: APP/K2420/A/12/2181080 Land East of Groby Village Cemetery was received. This was for the erection of 91 dwellings and associated ancillary development. This decision is a material consideration in the determination of this application.

The Inspector in this appeal gave consideration as to the most suitable method of housing supply calculation and to whether a 5% or 20% buffer should be applied. In his determination, the Inspector considered recent appeal decisions within the borough at Sketchley House, Burbage, Stanton Under Bardon Primary School and Ashby Road, Hinckley. The Inspector acknowledged there had been some variation in the conclusions drawn within each appeal in relation to the calculation of housing land supply. However, based on the most up-to-date evidence and the delayed delivery of the SUE's, he concluded that the supply of housing would be best served by making up the existing undersupply in the shorter term, in accordance with the 'Sedgefield' methodology. The Inspector found that the Council was not a persistent under deliverer and a 5% buffer would achieve the planned supply.

Based on the evidence submitted at this appeal by the appellant and the Council, the Inspector calculated that the Council does not currently have a 5 year supply of deliverable housing sites.

This latest appeal decision strongly indicates that the Council does not have a five year housing supply and therefore, in accordance with Paragraphs 49 and 14 of the NPPF, planning applications for new housing development must be considered in the context of the presumption in favour of sustainable development to help significantly boost the supply of housing.

Local Plan

The site lies outside of the current settlement boundary of Sheepy Magna, as defined on the proposals map of the adopted 2001 Local Plan and is therefore within an area designated as countryside. Saved Local Plan Policies NE5 and RES5 therefore apply.

Both Saved Policies NE5 and RES5 of the adopted Local Plan seek to protect the countryside for its own sake and state that planning permission will only be granted for development subject to certain criteria. The criteria do not include residential development. Policies RES5 and NE5 seek to guide development to appropriate, sustainable locations, and ordinarily, residential development would normally be restricted outside of settlement boundaries in the countryside.

The Planning Balance

There are three core strands underpinning the presumption in favour of sustainable development as set out within the NPPF which give rise to the need for planning to perform a number of roles. These considerations are economic, social and environmental. Paragraph 8 of the NPPF sets out that these roles should not be undertaken in isolation because they are mutually dependent. Therefore these roles need to be balanced and a cost benefit analysis undertaken to determine whether a development is considered to be sustainable. The NPPF clearly defines the three dimensions of sustainable development as follows:-

Economic - It is considered that the local economy would benefit through the creation of construction related jobs and services.

Social - The scheme would contribute towards a housing shortfall which would enhance the quality, vibrancy and health of the local community.

Environmental - The dwellings would be built to reflect the character of the adjacent settlement. Whilst the introduction of dwellings on undeveloped land would result in a degree of landscape harm, the layout proposed would contribute towards the built local environment. The location of the site on the edge of the existing settlement would ensure that the development would be set in the context of the existing built form within the village to the north and north east.

Based on the above the scheme is considered to comprise a sustainable form of development, in accordance with the NPPF, and would contribute towards the borough's housing shortfall and five year housing land supply.

Summary

In accordance with Saved Policies NE5 and RES5, residential development is not supported outside the settlement boundary. This said, the NPPF states that in the absence of a five year supply of housing sites, which the Groby Road appeal decision strongly suggests is now the case, housing applications should be considered in the context of the presumption in favour of sustainable development.

On balance, the development is considered to be acceptable in principle, subject to all other material considerations being addressed.

Due to the range of existing facilities within the village of Sheepy Magna, the development is considered to be in a sustainable location and in line with Core Strategy Policy 12, would ensure that these services would be supported and maintained.

The application would help boost the supply of housing, contributing towards the Council's five year supply position.

Therefore the principle of residential development on this site is considered to be acceptable and in accordance with Policy 12 or the Core Strategy, the NPPF and the emerging Site Allocations and Development Management Policies DPD (2014).

Layout and Impact upon the character of the area

The design criteria i-iv within Saved Policy NE5 of the Local Plan remain generally relevant to development within the countryside. The policy states that development will only be permitted where the following criteria are met:-

- a) it does not have an adverse effect on the appearance or character of the landscape
- b) it is in keeping with the scale and character of existing buildings and the general surroundings
- c) where necessary it is effectively screened by landscaping or other methods
- d) the proposed development will not generate traffic likely to exceed the capacity of the highway network or impair road safety.

Policy BE1 (criterion a) of the Local Plan requires development to complement or enhance the character of the surrounding area with regard to scale, layout, mass and design. Whilst there are certain matters reserved the layout is a matter for consideration.

Paragraph 17 of the NPPF states that the planning system should recognise the intrinsic character and beauty of the countryside and Paragraph 53 states that Local Planning Authorities should set out policies to resist inappropriate development of residential gardens, where development would cause harm to a local area.

Development of the application site would inevitably change and urbanise the existing rural character of the site. This said the application site is to the rear of Park View and therefore public views of the site would be limited to gaps in the building line. Whilst this proposal constitutes back land/garden development, this part of Main Street includes several examples of residential backland development and as such it could not be argued that the current proposal would be out of keeping with this existing character.

The layout of the proposal includes detached properties with adequately sized gardens, in conformity with the standards outlined in the New Residential SPG. Whilst this layout differs to the properties of Park View, which contain elongated rear gardens, there is a varied character along Main Street including plots of various sizes and larger detached dwellings. It is therefore considered that the layout is in keeping with the wider area and is not detrimental to the character of Main Street.

The site includes several groups of trees; the poplar trees along the boundary to the Park View properties are visually prominent within the area. A plan is provided with this application identifying the trees on site, however a full assessment has not been undertaken to confirm the tree retention or protection requirement. Landscaping is a matter to be reserved, however due to the existing trees on site a condition is recommended for a full tree assessment to British standards, identifying trees to be retained and felled is submitted prior to the commencement of development.

It is therefore considered, subject to satisfactory scale, appearance and landscaping outlined in the reserved matters stage the development of the site for four new dwellings would be in keeping with the character of the surrounding area and the proposal is therefore considered

to be in accordance with Policies NE5 and BE1 (criterion a), the Council's SPG on New Residential Development and paragraphs 17 and 53 of the NPPF.

Impact upon Residential Amenity

Policy BE1 (criterion i) of the adopted Local Plan and SPG require that development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties.

The amended layout has removed a dwelling to the southern end of the site. This has reduced the number of dwellings along the shared boundary with 66 Main Street. Additionally two dwellings (plot numbers 2 and 3) have been moved northwards to alleviate overlooking and overbearing impacts. As a result of these amendments, gardens of 16 - 18 metres in length would also be provided to the boundary of 66 Main Street.

There would be a separation distance of 7 metres between Plot 3 and the boundaries of numbers 10 and 11 Park View. This said, due to the considerable length (approximately 20 metres) of the gardens of these dwellings, it is not considered that there would be any detrimental impacts to the amenity of these adjacent dwellings.

Although details of the elevations of the dwellings have not been received at this stage, the proposed layout suggests that there would be adequate space on site to ensure that minimal separation distances between habitable room windows could be achieved.

Plots 4 and 5 back onto the properties along Park View, the proposed garden lengths of these plots would be 12 metres in length. It is considered that due to the length of the rear gardens (approximately 20 metres) of facing dwellings, there would be no arising issues in terms of overlooking or over bearing impact to these dwellings.

Due to the length of the rear garden of Pinewood House and the positioning of plot five it is considered this will not be detrimental to the amenity of these residents in regards to overlooking or over bearing impact.

It is therefore considered, subject to satisfactory scale, appearance and landscaping outlined in the reserved matters stage, that the development would not be detrimental to the residential amenity of neighbouring dwellings and would therefore be in accordance with saved policy BE1 (criterion i) of the Hinckley & Bosworth Local Plan (2001)

Highway Considerations

The proposal seeks to gain access to the development directly from Main Street, by amending the existing access and closing off the access from Park View.

Leicestershire County Council Highways have not objected to the proposal, subject to several conditions. It is considered that a number of the suggested conditions do not meet the six tests required for a condition, these include:-

- a) Requirement for works to an existing footpath
- b) Erection of gates - this is a shared private drive and therefore gates would not be erected
- c) Traffic management plan - this is not a major application and it is deemed unreasonable to request a traffic management plan for a development of 4 dwellings
- d) Turning facilities, the layout identifies this therefore a condition to require would be unreasonable
- e) Pedestrian visibility - the access includes adequate pedestrian visibility.

However, it is considered that the suggested conditions in regards to access, parking and surface materials are necessary and reasonable and have therefore been included as a recommended condition.

Due to the dimensions of the access track and the lack of a pedestrian footpath the access road would not be able to be adopted by the Highways Authority and will therefore be a private drive.

Following the concerns raised by residents in regards to the safety of the access and its width, further discussions were undertaken with Leicestershire County Highways. As a result of this it was concluded that the proposed access and private drive would not result in any highway safety concerns and that it would be acceptable, from a highway safety perspective for an additional four properties to use this existing access.

The proposal is therefore considered to be in accordance with saved Policy T5 of the adopted Hinckley & Bosworth Local Plan.

Impact upon Flooding

Saved policy NE13 of the Local Plan states that planning permission will not be granted for development proposals which would inhibit or damage the drainage functions of the natural watercourse system, unless adequate on or off site protection, alleviation or mitigation works are undertaken.

The site is within Flood Zone 1. This comprises of land which has less than a 1 in 1,000 annual probability of river or sea flooding. There have been historic flooding concerns on the site relating to the public drainage system within the area. To address these issues, Severn Trent Water has undertaken significant works to ensure flooding as a result of this does not reoccur. As such there are considered to be no issues relating to surface water drainage and Severn Trent Water have not objected to this proposal.

Leicestershire County Council as the Lead Local Flood Authority has identified that the site is underlain by a secondary A Aquifer, near a main river, and Flood Zones 2 and 3 (which lie to the east of Main Street). As such they have suggested that there would be a high conductivity between the river and the groundwater level. The site therefore has the potential to be susceptible to groundwater flooding. As such, the Lead Local Flood Authority has requested that a comprehensive ground investigation should be undertaken in line with a Flood Risk Assessment, with suitable mitigation measures, to ensure the development would not result in flooding to the surrounding area.

As this application is at the outline stage and the site is not within flood zone 2 or 3, it is not considered that these investigations and assessments are required prior to determination. A condition is therefore recommended that a Flood Risk Assessment including a comprehensive ground investigation and mitigation measures to ensure the site will not create future flooding issues is submitted to the Local Planning Authority alongside the reserved matters application for this proposal.

It is therefore considered that subject to an appropriate Flood Risk Assessment and any necessary mitigation measures this development would be acceptable and will not detrimentally damage the drainage functions of the natural watercourse system and is therefore in accordance with saved policy NE13 of the Hinckley & Bosworth Local Plan (2001).

Archaeology

Paragraph 128 of the NPPF states that in determining planning applications local planning authorities should require developers to submit appropriate desk-based archaeological assessments and if necessary a field evaluation. Additionally paragraph 129 states that local planning authorities should identify and assess the particular significance of a heritage asset that may be affected by the proposal and avoid or minimise the conflict upon the heritage asset. This is additionally supported by saved Policies BE13 and 14 of the Hinckley & Bosworth Local Plan.

Initially an objection was raised by Leicestershire County Council Archaeology on grounds of inadequate information concerning the impact of the development upon the potential archaeological features of the site.

In agreement with Leicestershire County Council Archaeology, additional investigative work was undertaken in the form of trial trenching. This investigation revealed the presence of archaeological remains within the application site including 16-17th central boundary ditches and medieval pottery.

It is therefore concluded that the proposed development would impact archaeological remains within the application site. This said, Leicestershire County Council Archaeology is satisfied that these remains could be adequately recorded through phasing of the archaeological investigation prior to the commencement of development. Therefore the objection has been removed subject to a condition in regards to additional archaeological work.

It is therefore considered that the application will not have a detrimental impact upon the historic environment and is therefore in accordance with paragraphs 128 and 129 of the NPPF and policies BE13 and 14 of the Hinckley & Bosworth Local Plan (2001).

Developer Contributions

Policies IMP1 and REC3 of the adopted Local Plan and the Play and Open Space SPD require new residential development to contribute towards the provision and maintenance of public play and open space facilities for children. The requirement for any developer 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, directly related and fairly and reasonably related in scale and kind to the development proposed. However, on 28th November 2014 the Secretary of State announced revisions to s.106 and CIL contributions and the NPPG. Following the announcement of the Secretary of State, the Council's ability to request affordable housing and other tariff style s.106 contributions on smaller sites (which would include play and open space contributions) has been removed. Such contributions can not now be sought on developments less than 10 dwellings and therefore no contribution has been pursued in this case.

Issues raised within the letters of neighbour representation, not considered elsewhere in the report:-

Neighbourhood responses have raised concerns that the land is agricultural or has an agricultural tie. Currently the land is being used as residential curtilage and a search of the planning history of the site finds no agricultural ties for the land or Park House. Additionally the applicant has confirmed the site does not contain a covenant which restricts the use of the land to agricultural purposes.

Conclusion

In conclusion the principle of development in this location is considered to be acceptable and in line with national and local planning policy.

The proposed access is considered acceptable and in line with highway standards and is therefore in accordance with policy T5 and appendix D of the Hinckley & Bosworth Local Plan (2001).

The proposed layout is considered to be in keeping with the existing development on Main Street and due to the amendments made to the scheme it is considered the proposal will not detrimentally affect the amenity of the neighbouring residential properties. The application is therefore in accordance with policy BE1 of the Hinckley & Bosworth Local Plan (2001).

RECOMMENDATION:- Grant subject to conditions.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as the principle of development is considered acceptable, the proposal would not have significant detrimental visual or landscape impact, , would not impact upon residential amenity, highway safety, , flood risk or historic assets and would therefore be acceptable.

Hinckley & Bosworth Core Strategy (2009):- Policies 12, 19 and 24.

Hinckley & Bosworth Local Plan (2001):- Policies IMP1, REC3, RES5, NE5, NE13, BE1, BE13, BE14 and T5.

In dealing with the application, through the receipt of amended plans, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions :-

- 1 Application for the approval of reserved matters shall be made within three years from the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.
- 2 Approval of the following details (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced:-
 - a) The scale of each building proposed in relation to its surroundings.
 - b) The appearance of the development including the aspects of a building or place that determine the visual impression it makes.
 - c) The landscaping of the site including treatment of private and public space to enhance or protect the site's amenity through hard and soft measures.
- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plan, Plan C - Proposed Location Plan Rev 1 received 5 March 2015 and Plan A - Site Location Plan submitted 15 December 2014.

- 4 Development shall not begin until 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 development shall then be implemented in accordance with the approved proposed ground levels and finished floor levels.
- 5 Development shall not begin until representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings 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.
- 6 Development shall not begin until surface water drainage details and calculations, incorporating sustainable drainage principles (SuDS) have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the full details prior to the completion of development.
- 7 The shared private drive shall be a minimum of 4.8 metres wide for at least 5 metres behind the highways boundary and have a drop crossing of a minimum size as shown in Figure DG20 of the 6CsDG at its junction with the adopted road carriageway. The access drive shall be provided before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained.
- 8 The existing access from Park View shown on the site layout plan shall be permanently closed incorporating the reinstatement to full height of the footway within 7 days of the proposed new access being brought into use.
- 9 Before first occupation of the dwellings hereby permitted, car parking shall be provided, hard surfaced and made available for use to serve the dwelling on the basis of 2 spaces for a dwelling with up to three bedrooms and 3 spaces for a dwelling with four or more bedrooms. The parking spaces provided shall be retained in this form at all times. The parking spaces shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 10 Before first occupation of the dwelling hereby permitted, its access drive and any turning space shall be surfaced with a hard bound porous material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.
- 11 Development shall not begin until a full Tree Survey to BS5837:2012 shall be submitted to and approved in writing by the local planning authority. This report shall include details upon the retention and removal of trees and mitigation measures to protect retained trees during construction, including those outside the application site but adjoining the access. The development shall be implemented in accordance with the full details of the approved survey.
- 12 Development shall not begin until details of all boundary treatments are submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reasons :-

- 1 To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

- 2 This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal in accordance with the requirements of Part 3 (5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 3 For the avoidance of doubt and in the interests of proper planning.
- 4&5 To ensure that the development has a satisfactory appearance and in the interests of visual amenity to accord with Policy BE1 (criterion a) of the adopted Hinckley & Bosworth Local Plan.
- 6 To minimise the risk of flooding to accord with Policy NE13 of the adopted Hinckley & Bosworth Local Plan.
- 7 To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway in accordance with the 6C's Design Guidance.
- 8 To ensure the removal of unnecessary points of traffic conflict in the highway in the interests of highway safety, in accordance with Policy T5 of the adopted Hinckley & Bosworth Local Plan.
- 9 To ensure that adequate off-street car parking facilities are provided to serve the dwelling hereby permitted in the interests of highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 10 To avoid displacement of loose material onto the highway in the interests of highway safety and to ensure that drainage is sustainable in accordance with policy T5 of the Local Plan.
- 11&12 To ensure that the development is not detrimental to the appearance and visual amenity of the area, in accordance with Policy BE1 (criterion a) of the adopted Hinckley & Bosworth Local Plan.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Helen Wilson **Ext** 5691

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Reference: 14/00660/FUL
Applicant: Mr Stuart Bradshaw
Location: Hall Farm Main Street Newbold Verdon
Proposal: Erection of a 10 MW solar farm and associated infrastructure

RECOMMENDATION:- Grant subject to conditions.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as the Chief Planning & Development considers it necessary to be determined by the Planning Committee.

Application Proposal

This application seeks full planning permission for the erection of a 10 MW photovoltaic solar farm. Electricity generated from the solar farm would be fed into the National Grid.

In addition to the photovoltaic panels, the proposed development includes associated infrastructure including inverter housings, grid connection housing, access tracks, security fencing and other minor works. Vehicular access to the site will be via the existing field access from Bosworth Lane.

The solar farm would be connected by underground cables to the 11 KV underground power line where it would be connected to the local distribution network.

The solar panels would be set at 15 degrees and would be mounted on a metal framework to a height of 2 metres above ground level. The proposed switchgear, inverter and transformer enclosures are proposed to a height of 2.6 metres. There would also be a small substation building and control room at a height of 3.5 metres. Meadow pasture would be established under and around the solar array and this would be managed by sheep grazing as a dual agricultural use for the land. A fence is proposed to surround the site. This would resemble deer fencing with wooden posts and mesh at a height of 1.8 metres.

Planning permission is sought for a 25 year period. After this period of time the site would be dismantled and returned back to its former agricultural use.

The initial proposal was for a 20.1 ha site area and 14.1 MW of generating capacity. Following discussions the proposal was subsequently reduced to 16.89 ha or 10 MW of generating capacity to reduce the visual impact of the proposal and to avoid development on grade 2 agricultural land.

The Site and Surrounding Area

The solar farm would occupy two adjacent arable fields in countryside to the south-west of Newbold Verdon. The site is 16.89 ha in size. The largest field would be to the south and the small field to the northwest. The largest field runs alongside the southern edge of a small wood known as Botany Bay Spinney.

Adjacent to the south of this field is an area of restored land from earlier workings of the Tilcon Quarry at Naneby Hall Farm. This large field is also restored land after quarrying.

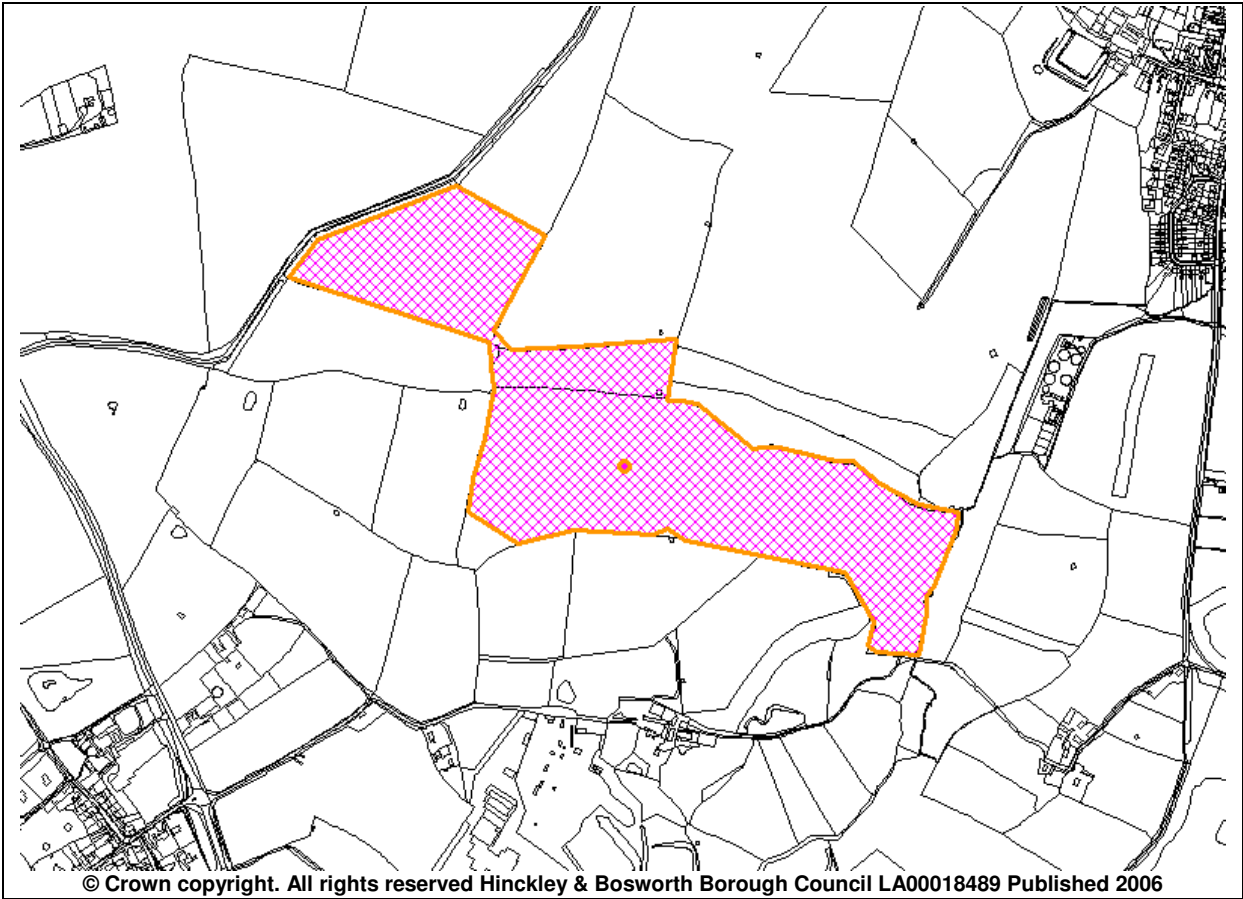
To the east there is a mix of pasture and arable fields and then Brascote Lane heading into the south of Newbold Verdon. The small field borders the western end of the north side of the larger field. This is to the west of Botany Bay Spinney and there are arable fields to the north and west.

Bosworth Lane runs north to south to the west and lies within a tree belt. The small field is low lying in a shallow valley, with the ground rising gently to the north and south. This field is largely enclosed by dense clipped hedges. Botany Bay Spinney continues the shallow valley bottom with the large field occupying the gently rising land to the south of this. The eastern end of this field drops into a similar but perpendicular shallow valley, before the land rises again towards Brascote Lane. The large field is enclosed by hedging to the west then hedging with trees and Botany Bay Spinney to the north. Its eastern edge follows a streamside with some hedging and trees, but with some open sections. The edge of the proposed solar installation stops some way short of this end of the field.

The southern boundary of the site is relatively open, but the ground rises again onto the old quarry and has maturing woodland plantings as well as some scattered mature trees. A pylon run crosses north to south in the centre of the large field just to the west side of Botany Bay Spinney. Another crosses the land just to the west of both fields.

Relevant Planning History:-

14/00454/SCOPE	EIA Screening Opinion relating to the erection of a PV Solar Farm 10 MWp and associated infrastructure.	EIA Not Required	19.05.14
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Consultations:-

No objections have been received from:-

Environment Agency
Environmental Health (Land Drainage)
Historic England
Leicestershire County Council (Archaeology)
Leicestershire County Council (Ecology)
Leicestershire County Council (Highways)
Leicestershire County Council (Rights of Way)

Neighbours notified, site notices were displayed and a press notice published.

One letter of support has been received for the proposal.

Policy:-

National Policy Guidance

The National Planning Policy Framework (NPPF) 2012
The National Planning Practice Guidance (NPPG) 2014

Local Plan 2006-2026: Core Strategy 2009

Spatial Objective 12: Climate Change and Resource Efficiency

Hinckley & Bosworth Local Plan 2001

Policy NE5: Development in the Countryside
Policy BE1: Design and Siting of Development
Policy BE13: Initial Assessment of Site of Archaeological Interest and Potential
Policy BE14: Archaeology Field Evaluation of Sites
Policy BE15: Preservation of Archaeological Remains in Situ
Policy NE12: Landscaping Schemes
Policy NE14: Protection of Surface Waters and Ground Water Quality
Policy T5: Highway Safety

Other Relevant Policy Guidance

Hinckley & Bosworth Landscape Character Assessment (2006)
Hinckley & Bosworth Renewable Energy Capacity Study (2014)

Appraisal:-

The main considerations in determination of this application are:-

- The principle of development
- The landscape and visual impact
- Heritage assets, the historical landscape and archaeology
- Ecology
- The impact upon nearby residential amenity
- Highway safety and construction traffic management
- Flood risk
- Environmental Impact Assessment Regulations

Principle of Development

One of the core planning principles of the National Planning Policy Framework (NPPF) as set out in Paragraph 17 is to support the transition to a low carbon future in a changing climate by encouraging the use of renewable resources and the development of renewable energy.

This is set out further in Paragraph 93 of the NPPF which states that planning has a key role in supporting the delivery of renewable and low carbon energy and associated infrastructure which is central to the economic, social and environmental dimensions of sustainable development. Paragraph 98 states that when determining planning applications, local planning authorities should:-

- a) Not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) Approve the application if its impacts are (or can be made) acceptable.

Spatial Objective 12 of the Core Strategy on climate change and resource efficiency seeks to minimise the impacts of climate change by promoting the prudent use of resources through increasing the use of renewable energy technologies.

The National Planning Practice Guidance (NPPG) sets out at Paragraph 13 of the Renewable and Low Carbon Energy guidance that, the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

Particular factors a local planning authority will need to consider include:-

- a) encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;
- b) where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays;
- c) that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- d) the proposal's visual impact, the effect on landscape of glint and glare and on neighbouring uses and aircraft safety;
- e) the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- f) the need for, and impact of, security measures such as lights and fencing;
- g) great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- h) the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- i) the energy generating potential, which can vary for a number of reasons including, latitude and aspect;

- j) the approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero;
- k) the site is greenfield agricultural land. Therefore consideration should be given to the quality of the agricultural land. The applicant has undertaken an assessment and has submitted a Soil and Agricultural Land Quality Assessment. This identifies that the majority of the land falls under Grade 3b. This is identified as moderate quality agricultural land which is defined as land capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year. The applicant proposes to seed the site with a grass and wildflower mix to develop the arable field into an area that benefits local wildlife. The field would also be grazed by sheep which will retain a "double crop" agricultural use whilst keeping the grass below the panel height and ensuring that scrub does not establish. Given the temporary nature of the proposal, for a period of 25 years, it is considered that the land could be used for agricultural after the solar farm has been removed.

Given the agricultural quality of the land which is considered to be of moderate quality and not of best quality (Grades 1 - 2), the development is considered to be acceptable in principle in relation to the NPPF and NPPG and the aims and objectives of the Local Plan.

Landscape and Visual Impact

Paragraph 17 of the NPPF states that planning should recognise the intrinsic character and beauty of the countryside and supporting thriving rural communities within it, and Paragraph 109 states that the planning system should protect and enhance valued landscapes.

Policy BE1 (criterion a) of the Local Plan requires development to complement or enhance the character of the surrounding area with regard to scale, layout, mass and design. Policy NE5 also requires development within the countryside to not have an adverse affect on the appearance or character of the landscape is in keeping with its surroundings and would be screened by landscaping.

Paragraph 97 of the NPPF supports this, stating that cumulative landscape and visual impacts of renewable energy sources should be addressed.

The National Planning Practice Guidance states that:-

"The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. Particular factors a local planning authority will need to consider include:

- encouraging the effective use of land by focusing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays."

Concern was initially raised by officers as to the scale and extent of the site and due to part of the proposal being on grade 2 agricultural land. The proposal was subsequently reduced

and the parcel of grade 2 land excluded from the proposal. The applicant has demonstrated in the submitted Soil and Agricultural Land Quality Assessment that the remaining part of the land is of poor quality in terms of its environmental and agricultural value (grade 3a and 3b).

In addition to this the applicant proposes to seed the site with a grass and wildflower mix to develop the arable field into an area that benefits local wildlife. The field would also be grazed by sheep which will retain a "double crop" agricultural use whilst keeping the grass below the panel height.

The PV panels are to be sited in uniform, parallel rows. The panels themselves are relatively low level in nature, with one side of the panels being located higher than the other. The maximum height of the panels is proposed to be 2 metres. The substations/inverter housings would largely be screened by the panels themselves by being located amongst the solar arrays.

The local landscape setting is characterised as a rural patchwork of arable and pasture fields divided by managed hedges and a scattering of trees over a gently rolling landform. The Hinckley and Bosworth Landscape Character Assessment describes this area as within the Desford Vales (Character Area D).

There are no particularly notable landscape or heritage designations nearby or otherwise likely to be affected by the proposals.

Views to the site of the proposed solar farm would be largely restricted to locations within the close setting of the site. There are few potential visual receptors within this area, the most notable being public footpath routes, one of which crosses through the site. Additional views would be possible from Brascote Lane to the east and Bosworth Lane to the west. There may also be views from Manor Farm and Windmill Inn on Brascote Lane to the east.

The proposed solar farm development would have very limited effect on the fabric of the wider landscape, with no loss of hedges or trees. The principle landscape effects to consider are therefore those relating to the visual influence of the solar farm installation in relation to the character of the surrounding countryside.

In the immediate setting the solar farm would become one of the defining characteristics of the location alongside the prevailing rural features of the landscape. The presence of the solar farm would therefore have a significant impact upon the existing landscape fabric when experiencing it at close range. However, this influence of the solar farm would be highly localised and the landscape character of the wider area would not be significantly affected due to the limited height of the solar arrays and landscape screening. The solar farm can therefore be accommodated without significant degradation to the character or the scenic qualities of the surrounding countryside.

In analysis of the visual effect of the solar farm, the visual impact on views from Manor Farm to the south east and Windmill Inn to the east are not considered to be significantly detrimental. Public rights of way users would have the most direct appreciation of the solar farm installation and would be most affected by it. However, views would only be available from localised parts of the local path network and in most cases these views would be filtered by existing landscape screening. One section of footpath would cross through one of the solar farm fields and here the presence of the solar farm would be the dominant experience of walkers. However, this is a short section of path and so long as the corridor through the solar farm is a suitable width and there would be appropriate boundary treatments containing the route of the path, the experience should not be overpowering and the normal enjoyment of the route as a whole should not be compromised.

The Planning Practice Guidance also states that local planning authorities should consider the potential to mitigate landscape and visual impacts through screening with native hedges.

The solar farm scheme includes proposals for supplementary landscape planting works, such as hedge planting to the corridor of the footpath route crossing through part the solar farm and gap fill or new hedge planting in other outward facing boundaries. These works would further contain the proposed development and would be a sensitive long term enhancement to the landscape structure of the area. Conditions have been imposed to ensure supplementary landscape screening is secured.

Cumulative Impact

In order to consider the potential for cumulative effects of more than one solar farm in the local area other existing consented solar farm developments has been carried out. The nearest solar farm is one approximately 6.5km to the south west at Stoke Golding. Given the distance from this solar farm to the site and intervening landscape features it is not considered that there would be any conceivable landscape or visual cumulative effects.

A solar farm has been consented and is currently being constructed north of Desford Lane, Desford. This solar farm is approximately 6.2 km to the north east of the site and due to the distance from this solar farm to the site and intervening landscape features it is not considered that there would be any conceivable landscape or visual cumulative effects.

A solar farm has recently been consented at Lindridge Farm, Desford approximately 3 km to the north east of the site. Due to the distance from this solar farm to the site and Newbold Verdon which intervenes across the landscape it is not considered that there would be any conceivable landscape or visual cumulative effects.

Security and Fencing

The Planning Practice Guidance requires authorities to consider the need for, and the impact of, security measures such as lights and fencing. There is no permanent lighting proposed; manually operated portable lights may be required in cases of emergency maintenance visits during the hours of darkness. It is a requirement of the Distribution Network Operator that a security light is fitted to the substation building, this would be operated by a motion sensor and would not be illuminated on a permanent basis.

The applicant originally proposed pole mounted CCTV cameras spaced at regular intervals to the boundaries of the site. This was not considered acceptable due to the urbanising effect and height of the cameras. A condition has been imposed requiring alternative details to be agreed, a favourable solution would be low level infrared CCTV cameras mounted on the transformer/inverter housings.

The fencing proposed is akin to deer fencing which is considered to be acceptable in the countryside setting and does not create any additional visual impact upon the landscape.

Heritage Assets and the Historical Landscape

Paragraph 19 of the renewable and low carbon energy guidance as set out in the NPPG states that the significance of a heritage asset derives not only from its physical presence but also from its setting and careful consideration should be given to the impact of solar farms on such assets. This is reinforced by Paragraph 131 of the NPPF which states that in determining planning applications local planning authorities should take account of the positive contribution the conservation of heritage assets can make to sustainable

communities. The NPPG also sets out guidance in respect of solar farms and that they can cause harm to the setting of heritage assets.

Leicestershire County Council (Archaeology) raised concerns about the visual impact on the Scheduled Monument, Hall and Church at Newbold Verdon. The applicant has conducted a geophysical survey and incorporated this into an assessment of direct and indirect impacts.

Historic England has raised no objection but has commented on the application and note that the submitted assessment provides a fair assessment of impact on the assets identified for further attention. They also agree with the report that the proposal will impact on the appreciation and character of the landscape setting of Newbold Verdon Hall and on the Bull in the Oak, a grade II listed farmhouse where the agricultural setting is part of the heritage significance.

Whilst these comments have been carefully considered, given the degree of separation and intervening landscaping in the form of Botany Bay Spinney this impact would be negligible which is supported by the Conservation Officer.

Archaeology

The application has been accompanied by an Archaeological Survey in conformity with Saved Policy BE14 of the Local Plan. Paragraph 128 of the NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Saved Policy BE16 states that the Local Planning Authority will seek to enter into a legal agreement or impose conditions requiring that satisfactory archaeological investigation and recording be carried out. The Geophysical Report submitted by the applicant concludes that the identified anomalies all relate to recent ploughing, ridge-and-furrow and mapped or projected field boundaries and states that any excavation required to further investigate the significance of the anomalies could be carried out as a condition, prior to construction.

Leicestershire County Council (Archaeology) comment that it is unlikely that archaeological remains of significance are likely be present and recommend that should planning permission be granted that conditions should be attached to the permission to secure further investigative works to be carried out prior to the commencement of development.

Therefore subject to the conditions imposed requiring further on-site investigation and recording it is unlikely that the proposal would cause a detrimental impact to possible archaeological remains and the proposal is considered to be in accordance with Policies BE14 and BE16 and Paragraph 128 of the NPPF.

Ecology

Paragraph 109 of the NPPF recognises the wider benefits of ecosystems and that the planning system should minimise impacts on biodiversity, providing enhancements where possible.

The applicant has submitted an ecology report which concludes that overall the scheme shall deliver ecological benefits for a range of species, including foraging and roosting bats, a number of bird species, and invertebrates as the land will in effect not be intensively farmed for 25 years and a wildflower habitat will be created. Precautions will also be taken to protect the small great crested newt population, present within three ponds between 50 and 640 metres from the site boundary. The proposal has been considered by Leicestershire County Council (Ecology) who have raised no objections. It is not considered that the proposal would

have an adverse impact upon sites of ecological importance or protected species. The proposals are therefore considered acceptable in relation to the consideration of biodiversity.

Impact Upon Residential Amenity

Policy BE1 (criterion i) of the Local Plan requires that development does not adversely affect the amenity of neighbouring properties.

The nearest residential dwellings to the site are Manor Farm to the south east and Beachwood Rise Farm to the south west. Given the distance from the site and the amount of screening in the form of hedgerows and planting that is in place the impact on those properties would be limited. There are no direct views of the proposal from the village of Newbold Verdon to the north east.

As such it is considered that the proposal is in accordance with Policy BE1 (criterion i) and the renewable and low carbon energy guidance as set out in the NPPG. The proposal is not considered to cause a detrimental impact upon residential amenity.

Highway Safety

Policy T5 of the Local Plan states that proposals should not impact upon highway safety or the satisfactory functioning of the local highway network.

Access will be along the existing farm track from Bosworth Lane. The track is currently used as an access route for existing cars and machinery for the agricultural fields and it is therefore considered suitable for use by the small number of HGV's associated with the short construction period of the solar farm. Once the solar farm is operational there will be no staff based on site, the only visitors will be security and maintenance staff and the minimal traffic associated with the management of the sheep grazing the land around the panels.

Leicestershire County Council (Highways) has raised no objection to the proposal subject to condition relating to access improvements.

Subject to the imposition of conditions, the proposal is considered to be in accordance with Policy T5 of the Local Plan and would not have a detrimental impact upon highway safety or the satisfactory functioning of the local highway network.

Drainage and Flood Risk

Saved Policy NE14 states that development proposals should provide satisfactory surface water and foul water measures. In addition the NPPF sets out at Paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The application is accompanied by a Drainage and Flood Risk Assessment which concludes that given that the site has no flooding history and that the panels will not greatly increase surface water run-off beyond the existing situation. The Environment Agency raises no objection subject to a condition in respect of contamination in case of any contaminates that are found during construction that may affect a water course. Following comments from the Environment Agency in respect of ensuring appropriate surface water drainage is implemented the applicant has added swales to capture surface water run off.

Subject to conditions requiring a satisfactory contamination condition the proposal would be in accordance with Policy NE14 of the Local Plan and the NPPF.

Environmental Impact Assessment (EIA)

The proposed development has been screened by the Local Planning Authority in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 to determine whether it constituted EIA development and if a subsequent Environmental Statement was required to be submitted for consideration.

The application falls within 3 (a) Industrial installations for the production of electricity, steam and hot water.

Whilst the scheme is listed within Schedule 2, as 3 (a) and exceeds the relevant thresholds in Column 2 (as the site area exceeds 0.5 hectares), the site is not in a sensitive area and there is no other information relating to the test of significance that makes the development EIA development.

Based on the information provided it is concluded that the proposed solar panel farm is not EIA development and therefore an Environmental Statement is not required.

Conclusion

The NPPF supports the transition to a low carbon future in a changing climate by encouraging the use of renewable resources and the development of renewable energy and that local planning authorities should approve the application if its impacts are (or can be made) acceptable.

The principle of development is therefore considered to be acceptable. It is considered that the proposal would lead to a minimal landscape and visual impact, mitigated against by existing landscape screening, with proposed additions to build up gaps in the site boundaries.

The solar farm would have a limited impact upon heritage assets, the historic landscape, flood risk and ecology. It is also considered that the proposed solar farm would have a minimal impact upon residential amenity and would not create any highway safety issues.

Therefore, and after considering the issues discussed above and representations received from the local community, it is considered that the principle of development would be acceptable and there would be minimal landscape harm. The proposal is therefore considered to be in accordance with the development plan and the overarching intentions of the NPPF. In addition, regard has been had to the renewable and low carbon energy guidance as set out in the NPPG as a material consideration.

RECOMMENDATION:- Grant subject to conditions.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as the principle of development is considered acceptable, the proposal would not have significant detrimental visual or landscape impact, cumulative visual or landscape impact, would not impact upon ecology, flood risk, historic assets, residential amenity or highway safety.

Hinckley & Bosworth Local Plan 2001:- Policies NE5, NE12, NE14, BE1, BE14, BE16 and T5.

In dealing with the application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the submitted applications details, as follows and received by the local planning authority 22 July 2014 and 11 February 2015:-

Dwg No. JT04/PA001D Amended Site Location Plan
Dwg No. JT04/PA002L Amended Site Layout Plan
Dwg No. JT04/PA003A Proposed PV Layout
Dwg No. JT04/PA004A Proposed Mounting System Details
Dwg No. JT04/PA005B Proposed Substation Plan and Elevations
Dwg No. JT04/PA008 Proposed Fencing and Gate Elevations
Dwg No. JT04/PA009B Proposed Noise Pattern Plan
Dwg No. JT04/PA012 Proposed 11kv Pad Mount
Dwg No. JT04/PA005B Proposed Grid Connection Cabinet
Dwg No. JT04/PA011A Proposed Comms Cabinet
Dwg No. JT04/PA006B Proposed Switchgear/Inverter/Transformer Enclosure

- 3 Written confirmation of the date of the first export of electricity to the National Grid from the solar farm hereby approved shall be provided to the local planning authority within one month of the date of this taking place.
- 4 The planning permission hereby granted is temporary for a period of 25 years from the date of the first export of electricity to the National Grid from the solar farm hereby approved. After such time the use shall cease and the solar farm and associated equipment shall be removed from site in accordance with Condition 5.
- 5 Not less than 12 months prior to the expiry of this permission a decommissioning Method Statement & Site Restoration Scheme shall be submitted to and in agreed in writing by the local planning authority. This shall include details of:-
 - a) The works for the removal of the solar panels, ancillary equipment and structures;
 - b) works for the restoration of the site;
 - c) the management and timing of any works;
 - d) a Traffic Management Plan;
 - e) an Environmental Management Plan to include measures to be taking during decommissioning to protect wildlife and habitats;
 - f) identification of access routes; and
 - g) a programme of implementation.

The decommissioning works shall then be carried out in accordance with the agreed Decommissioning Method Statement & Site Restoration Scheme during the 12 months of the expiry of this permission.

- 6 Should the solar farm hereby approved no longer be required for the purposes of electricity generation or cease to operate for a continuous period of 6 months, a Decommissioning Method Statement & Site Restoration Scheme as per the requirements of Condition 5 shall be submitted to and agreed in writing by the local

planning authority within 3 months after the end of the 6 months cessation period. The decommissioning works shall then be carried out in accordance with the agreed Decommissioning Method Statement & Site Restoration Scheme.

- 7 The development shall be fully implemented in accordance with the recommendations contained within the extended phase 1 ecology report and habitat survey prepared by SLR dated February 2015.
- 8 Notwithstanding the landscaping details as shown on the site layout plan, prior to the commencement of development a detailed landscaping scheme to show the species, location and amount of planting to be provided to the boundaries of the site 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.
- 9 The approved landscaping scheme shall be fully implemented in accordance with the approved details in the first available planting season after the commencement of development. The 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 at which time shall be specified in writing by the local planning authority.
- 10 No development shall commence on the site until such time as a construction traffic/site traffic management plan, including site access signage details, wheel cleansing facilities and vehicle parking and turning facilities, and a timetable for their provision, has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
- 11 Prior to the commencement of development details of the proposed vehicular access to the site from Bosworth Lane shall be submitted to and agreed in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.
- 12 If any gates, bollards or other obstructions are to be erected at the vehicular access to the site they shall be set back a minimum of 15 metres from the highway.
- 13 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be fully implemented in accordance with the agreed details.
- 14 No development shall take place/commence until a programme of archaeological work, commencing with an initial phase of trial trenching has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:-
 - a) The programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme)
 - b) The programme for post-investigation assessment
 - c) Provision to be made for analysis of the site investigation and recording

- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation
 - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- 15 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 Scheme of Investigation approved under condition 14 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reasons:-

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 This permission is temporary and as such notification of commencement of the export of electricity to the National Grid is required to maintain proper record.
- 4 This permission is temporary for a period of 25 years following first export to the National Grid.
- 5 In the interests of visual amenity and to order to ensure the site is restored to a satisfactory appearance following decommission of the solar farm in accordance with Policy BE1 (criterion a) of the Hinckley & Bosworth Local Plan 2001.
- 6 To ensure the development is used for sustainable renewable energy generation in accordance with Paragraph 93 of the NPPF.
- 7 To protect and enhance biodiversity in accordance with Paragraph 109 of the NPPF.
- 8&9 To ensure adequate landscape screening is in place in accordance with Policy NE12 and NE5 of the adopted Hinckley and Bosworth Local Plan 2001.
- 10-12 In the interests of highway safety in accordance with Policy T5 of the Hinckley & Bosworth Local Plan 2001.
- 13 To protect the water environment in accordance with Paragraph 109 of the National Planning Policy Framework.
- 14&15 To ensure satisfactory archaeological investigation and recording in accordance with Policies BE14 and BE15 of the adopted Hinckley and Bosworth Local Plan 2001.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Simon Atha Ext 5919

Reference: 15/00381/COU
Applicant: Mrs G Shorthouse
Location: Land Rear Of Oddfellows Arms 25 Main Street Higham on the Hill
Proposal: Change of use of land from agricultural to equestrian (re-submitted application)

RECOMMENDATION:- Grant subject to conditions.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it has received objections from occupiers of more than four addresses and the recommendation is contrary to the nature of the objections received.

Application Proposal

This application seeks a change of use of 0.81 hectares of agricultural land to equestrian use, at land to the rear of Oddfellows Arms, 25 Main Street, Higham on the Hill.

The sites is accessed via the existing access off Main Street, which also serves the neighbouring Public House 'Oddfellow Arms'.

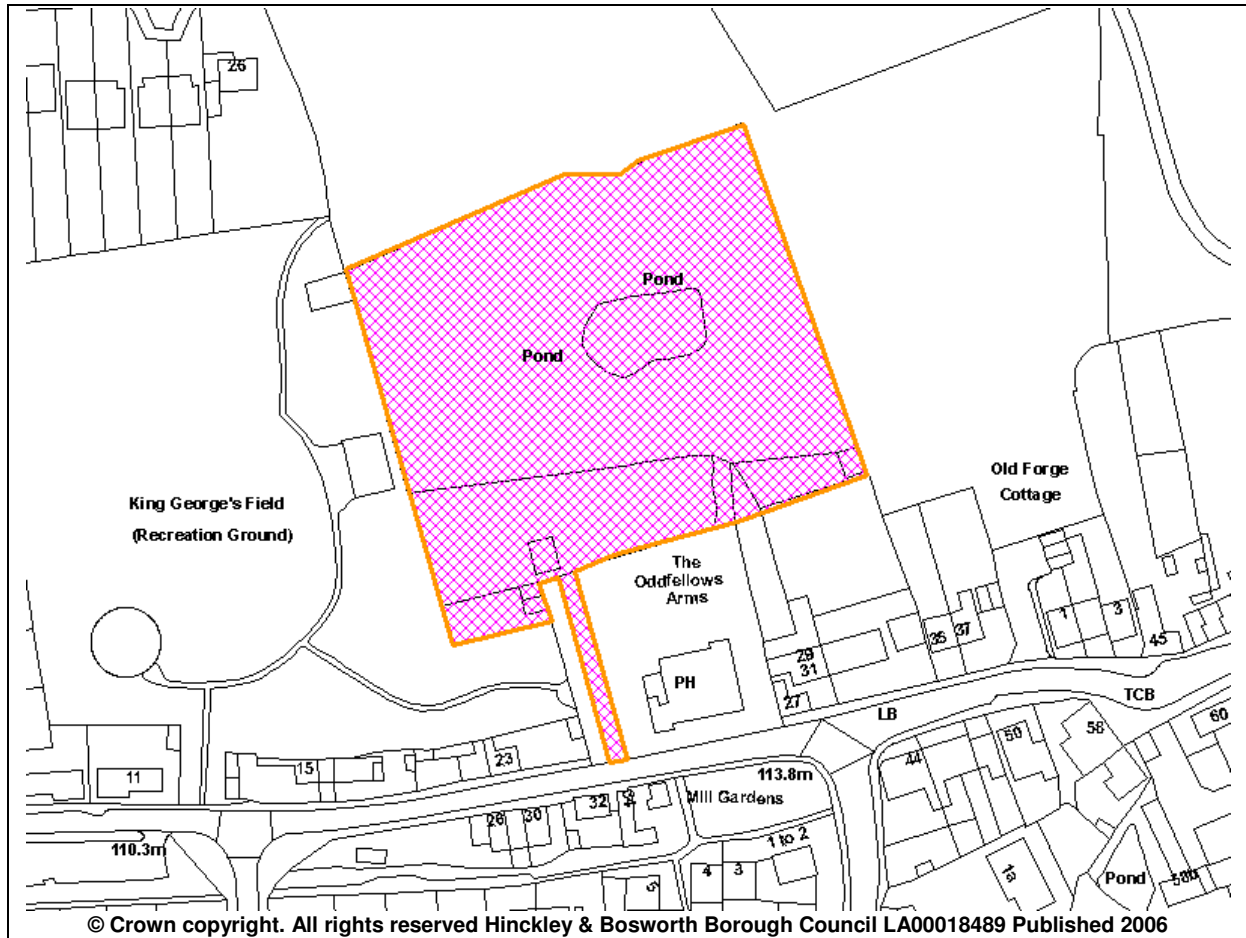
The Site and Surrounding Area

The land is currently vacant and is bounded to the north, east and south by mature hedgerows and trees. To the south of the site is the Oddfellows Arms public house and car park. The site is separated from the public house by a post and rail fence. The site is approximately 0.86 hectares in size. To the west of the site is King Georges field, a recreation area and there is agricultural land to the east and to the north. The land to the north of the site has been recently granted planning permission for residential development of 43 dwellings (planning reference number 14/00503/FUL). The site slopes down gently towards the north west corner.

The site is situated outside of, but adjacent to, the settlement boundary of Higham on the Hill, as defined by the adopted Hinckley and Bosworth Local Plan proposals map (2001). The site also lies outside of, but adjacent to, the Conservation Area.

Relevant Planning History:-

14/00367/OUT	Erection of 10 dwellings (outline - access and layout)	Refused	15.10.14
14/00362/COU	Change of use of land from agricultural to equestrian	Withdrawn	18.08.14



Consultations:-

No objections have been received from:-

- Leicestershire County Council (Archaeology)
- Environmental Health (Drainage)
- Environmental Health (Pollution)

No objection subject to conditions have been received from:-

- Leicestershire County Council (Highways)
- Leicestershire Country Council (Ecology)

Higham on the Hill Parish Council have objected on the following grounds:-

- a) housing development on the site was previously refused on grounds of environmental loss to the area, in which grazing horses would also impact upon through their grazing
- b) Higham on the Hill already has established horse riding facilities, and this application would allow for other equestrian needs to follow
- c) vehicular access required for equestrian vehicles would pose a highway danger to pedestrians and vehicles.

A site notice has been displayed and neighbours notified. Representations have been received from eight separate addresses raising the following concerns:-

- a) inappropriate use for a village centre location where access for a horse box and trailer would be restricted
- b) two equestrian centres already exist in the village the village has been eroded enough
- c) the proposed equestrian use is an inappropriate proposal.
- d) loss of ecology from the site.
- e) traffic coming from the development will compromise the safety of residents using the recreation ground and create further problems accessing Main Street
- f) loss of village car park.

Policy:-

National Policy Guidance

The National Planning Policy Framework (NPPF) 2012
National Planning Practice Guidance (NPPG) 2014

Hinckley & Bosworth Core Strategy 2009

Policy 12: Rural Villages

Hinckley and Bosworth Local Plan 2001

Policy BE1: Design and Siting of Development
Policy BE7: Development in Conservation Areas
Policy NE5: Development in the Countryside
Policy T5: Highway Design and Vehicle Parking Standards

Appraisal:-

The main considerations in respect of this application are:-

- Principle of development
- Impact upon the character and appearance of the countryside
- Impact upon the character and appearance of the Conservation Area
- Impact upon residential amenity
- Highway Safety
- Ecology

Principle of Development

Paragraph 11 - 13 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that it is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009) and the saved policies of the Local Plan (2001).

Paragraph 14 of the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved.

Local Plan

Policy NE5, development in the countryside is the most applicable local plan policy. This seeks to protect the countryside for its own sake and direct development to the most sustainable locations. Criterion a - c of this policy categorises acceptable development types

within the countryside. Criterion c of this policy is supportive of developments for sport or recreation purposes.

In rural areas the NPPF promotes the diversification of agricultural land and supports rural leisure developments which benefit communities and which respect the character of the countryside, furthermore in paragraph 73 it is acknowledged that opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

In respect of the change of use proposed, this constitutes diversification of land within the countryside for an accepted rural land-based, recreational activity. Therefore the proposal would be in accordance with criterion c of Policy NE5 and paragraphs 28 and 73 of the NPPF. Therefore the proposal is considered acceptable in principle.

Impact upon the character and appearance of the Countryside

The design criteria of Policy NE5 (i-iv) state that development in the countryside should not have an adverse impact on the character or appearance of the landscape, should be in keeping with the scale and character of existing buildings and general surroundings and be effectively screened by landscaping.

Policy BE1 of the Local Plan seeks to ensure a high standard of design, more specifically, criterion a is supportive of development which complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and criterion b seeks to avoid the loss of open spaces, important gaps in development, vegetation and features which contribute to the quality of the local environment.

Paragraph 56 of the NPPF identifies good design as being a key aspect of sustainable development. This policy is consistent to with the intentions of the NPPF and so will be applied.

The change of use of the land would be solely for the grazing of horses; intensive grazing of horses is considered to change the character and nature of land through the subdivision of larger fields into smaller paddocks, usually associated with domestic horses. The application does not propose any built development and the field would be grazed by a single horse. Furthermore, as the area of land is relatively small, (less than 1 hectare) it is unlikely that the land would be able to accommodate more than 2 horses. By virtue of the scale of the site and in the absence of any built development, the change of use of land from agricultural to equestrian is not considered to result in any adverse impacts on the character of the landscape or surrounding countryside.

The proposal is therefore considered to be in accordance with the design criteria of Saved Policies NE5 and BE1 of the adopted Local Plan.

Impact upon the character and appearance of the Conservation Area

Policy 12 of the Core Strategy and Policy BE7 of the Local Plan states that new development will be required to respect, and preserve and enhance the character and appearance of the Higham on the Hill Conservation Area.

The site is not situated within, but is adjacent to the Conservation Area boundary. Accordingly, potential impacts upon its character must be considered. Given Higham on the Hill's rural setting, there are important views out of the Conservation Area, particularly from the open access points to either side of the public house.

As the change of use is of a minor scale and proposes no built development, open views into and across the site would be retained. As such the change of use is considered to preserve the character and appearance of the Conservation Area in accordance with Policy 12 of Core Strategy and Policy BE7 of the Local Plan.

Impact Upon Residential Amenity

Saved Policy BE1 (criterion i) states that development proposals should not detrimentally impact upon residential amenity.

Whilst located within the countryside, the site is situated within close proximity of both recreational and residential uses. The nearest neighbouring residential dwellings are situated on Main Street, No.s 21,23,29,31,33 and The Old Forge Cottage. This said, by virtue of the considerable separation distances between the site and these dwellings, and given the nature of the use proposed, there are considered to be no impacts in terms of residential amenity raised.

Highway Safety

Policies NE5 (criterion iv), BE1 (criterion g) and T5 of the adopted Local Plan require that development will not generate traffic likely to exceed the capacity of the highway network or impair road safety, provides adequate highway visibility for road users and adequate off-street vehicle parking and turning facilities.

There is an existing access point to the west of the public house, This serves the public house, the application site and the recreational ground to the west. This is a hard surfaced access and also provides informal parking for local residents. Whilst the concerns of local people are noted in respect of the loss of this parking, the land is private and no public right exists for residents to park their vehicles on this land. There is sufficient parking retained to the rear of the public house that will still continue to exist and would continue to be accessed from the east of the public house. The application has been considered by Leicestershire County Council (Highways) who raises no objection to the scheme, subject to conditions.

It is considered that the proposal would not detrimentally affect highway safety and therefore complies with Policies NE5 (criterion iv), BE1 (criterion g) and T5 of the adopted Local Plan.

Ecology

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment including securing biodiversity enhancements where possible.

The application site is known to have species-rich grassland, the application has therefore been considered by Leicestershire County Council (Ecology). The Ecology department have no objection to the application, as grazing is deemed a suitable method of managing grassland.

Leicestershire County Council (Ecology) have recommended that a condition is imposed for the retention of the pond which is situated on the site. As no works are proposed to the pond, this request is not considered reasonable or necessary and thus the suggested will not be imposed. A condition is also requested to restrict the number of ponies/livestock to be grazed on the land. Given that this land is currently in agricultural use and has no restrictions upon it to this effect, it is not considered reasonable to restrict the proposed development in this way. Furthermore, the area of site would act as a natural restriction on the number of animals it could graze.

Residents have mentioned that the site is used as an amenity and wildlife site for the village with bonfires and events taking place from time to time. From an ecological perspective use of the site for bonfires is likely to have a detrimentally harmful impact on biodiversity whereas the maintenance and management of the rear part of the site for ecological purposes is likely to bring about biodiversity benefits and add value to the village. It is accepted that the site also provides community benefits in the form of social gatherings with bonfires and events which would be a negative loss to the village in this respect.

The proposed change of use is therefore not considered to have any significant detrimental impacts upon ecology or protected species the proposal is therefore considered to be in accordance with the guidance as set out within the NPPF.

Conclusion

As the proposed change of use would constitute a sustainable, recreational land based activity, it is considered to be an acceptable use within the countryside and would therefore be acceptable in principle. Furthermore the change of use, by virtue of its scale, is not considered to be harmful to the character and appearance of the countryside or the adjacent Conservation Area. The proposal would not detrimentally affect the ecological value of the site as a local wildlife asset, and would have no adverse impacts on highway safety or residential amenity. Accordingly the proposed development is considered to be in accordance with policies BE1, BE7, NE5 and T5 of the adopted Hinckley and Bosworth Local Plan, Policy 12 of the Core Strategy and the overarching principles of the NPPF and therefore recommended for approval subject to conditions.

RECOMMENDATION:- Grant subject to conditions.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as it comprises sustainable development within the countryside and would have no adverse impacts on the character or visual amenity of the countryside, highway safety, residential amenity or biodiversity.

Hinckley & Bosworth Core Strategy 2009:- Policy 12.

Hinckley & Bosworth Local Plan 2001:- Policies NE5 (criteria i, ii and iv), BE1 (criteria a and g), BE7 and T5.

In dealing with the application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the following details: Site Plan (Scale 1:1250) received by the Local Planning Authority on the 25 March 2015.

Reasons:-

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Jenny Brader Ext 5620

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National Policy Guidance	
National Planning Practice Guidance 2014	<p>The National Planning Practice Guidance (NPPG) was published on 6 March 2014 as a web-based resource. The NPPG has cancelled a number of previous planning guidance documents including the majority of previous Circulars and Letters to Chief Planning Officers. The NPPG was introduced following the Review of Government Planning Practice Guidance carried out by Lord Taylor with the aim of making the planning system simpler, clearer and easier for people to use. The guidance contains 41 categories from ‘Advertisements’ to ‘Water Supply’.</p> <p>The NPPG is guidance designed to supplement to the National Planning Policy Framework (NPPF). It is therefore a material consideration in planning decisions.</p>
National Planning Policy Framework 2012	<p>The NPPF reiterates the statutory requirement that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.</p> <p>It also states that the document should be read in conjunction with the newly released policy statement on Gypsies and Travellers.</p> <p>The purpose of the planning system is to contribute to the achievement of sustainable development. There are 3 dimensions to sustainable development:</p> <ul style="list-style-type: none"> • An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation • A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built development with accessible local services; • An environmental role – contributing to protecting and enhancing our natural, built and historic environment. <p>At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision making. For decision making this means:</p> <ul style="list-style-type: none"> • Approving development proposals that accord with the development plan without delay; and • Where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted. (Para 14).

	<p>Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision making and plan-making should be seamless, translating plans into high quality development on the ground. (Para 186). They should seek for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.</p> <p>Early engagement in pre-application discussions is encouraged where it is offered. Developers should be encouraged to engage with the community.</p> <p>The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration in planning decisions. (Para 196)</p> <p>In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development (Para 197).</p> <p><u>Implementation</u></p> <p>The policies in the NPPF apply from the day of publication (27th March 2012).</p> <p>For 12 months from the day of publication, decision makers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework.</p> <p>The Hinckley and Bosworth Local Plan was adopted in February 2001, as such it is necessary to review all saved local plan policies according to their consistency with the framework. Due weight must then be given according to their consistency with the NPPF. These are appraised within each application late item.</p> <p>For clarity it should be noted that the following national policy guidance documents referred to in the main agenda are superseded by the NPPF:</p> <p>Circular 05/05 Circular 01/06 NPPF (Draft) All Planning Policy Guidance and Statements</p>
The Community Infrastructure Levy (CIL) Regulations 2010	Part 11, Regulation 122 provides a statutory duty in respect of planning obligations and requires them to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed. The Regulation does not replace Circular 05/2005 but gives it a statutory foothold in planning legislation.
Environmental Impact	The criteria and thresholds in the EIA Regulations are only indicative. In determining whether significant effects are likely, the

Assessment Regulations 2011	location of a development, the more environmental sensitive the location, the lower will be the threshold at which significant effects will be likely. Development listed in Schedule 1 of the Regulations always needs an Environmental Impact Assessment (EIA). Development listed in Schedule 2 of the Regulations may need an EIA, depending on a number of things such as whether it would be in a sensitive area and on its size, complexity and nature of the development. Development that exceeds the criteria and are judged to be significant are required to be supported by an Environmental Statement that should be scoped and agreed by the Location Planning Authority.
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Hinckley and Bosworth Core Strategy 2009	
Spatial Objective 12: Climate Change and Resource Efficiency	To minimise the impacts of climate change by promoting the prudent use of resources through sustainable patterns of development, investment in green infrastructure, minimising the use of resources and energy, increasing reuse and recycling of natural resources, increasing the use of renewable energy technologies and minimising pollution, including greenhouse gas emissions.
Policy 8	<p>Key Rural Centres Relating to Leicester: supports local services and seeks to ensure people have access to a range of housing.</p> <p>Desford – allocates land for a minimum of 110 new homes; supports additional employment provision to meet local needs; address existing deficiencies in green space and play provision; deliver improvements in the quality of Sport in Desford; deliver safe cycle routes; implement strategic green infrastructure; support traffic management measures and additional car parking; safeguard land for the development of a new passenger railway station and associated car parking on the site of the former station yard; and require development to respect the character and appearance of Desford Conservation Area.</p> <p>Groby - allocates land for a minimum of 110 new homes; supports additional employment provision to meet local needs; support the improvement of the GP facilities in Groby; address existing deficiencies in green space and play provision; deliver improvements to Groby Village Hall, Groby Community College, Groby County Council all weather pitches and Marine Drive; deliver safe cycle routes; implement strategic green infrastructure; support proposals that contribute to the delivery of the National Forest Strategy and the Charnwood Forest Regional Park; support measures to reduce the noise and air pollution; work with existing businesses to seek a reduction in on-street employee parking; and require development to respect the character and appearance of Groby Conservation Area.</p> <p>Ratby - allocates land for a minimum of 75 new homes; supports additional employment provision to meet local needs; support the improvement of the GP facilities in Ratby; address existing deficiencies in green space and play provision; deliver improvements to quality of Ferndale Park Outdoor Facilities; deliver safe cycle routes; implement strategic green infrastructure;</p>

	<p>support proposals that contribute to the delivery of the National Forest Strategy and the Charnwood Forest Regional Park; support improvements to the existing community centres (Ratby Village Hall, Ratby Parish Church and Ratby Methodist Church) or development of a new designated community centre; support measures to reduce the noise and air pollution; support measures to direct through traffic away from Ratby Village; and require development to respect the character and appearance of Ratby Conservation Area.</p> <p>Markfield - allocates land for a minimum of 80 new homes; supports additional employment provision to meet local needs; address existing deficiencies in green space and play provision; implement strategic green infrastructure; support proposals that contribute to the delivery of the National Forest Strategy and the Charnwood Forest Regional Park; deliver safe cycle routes; protect open space linkages to the west; support the expansion of the local supermarket; support the attraction of knowledge based services to support the Markfield Institute of Higher Education; support improvement in the quality of Markfield Community and Sports Centre and Mayflower Close and Alter Stones outdoor facilities; support measures to reduce the noise and air pollution; and require development to respect the character and appearance of Markfield Conservation Area.</p>
Policy 12	<p>Rural Villages: supports housing development within settlement boundaries, development that meets local needs, development that enables home working and small scale employment uses, development of the tourism industry and transport improvements. It also seeks to resist the loss of local shops and facilities in rural villages unless it is demonstrated that the business or facilities can no longer operate in a viable manner.</p> <p>In addition this policy provides guidance for individual settlements as follows:</p> <p>Higham on the Hill – allocate land for a minimum of 40 new homes; address existing deficiencies in green space and play provision; require new development to respect the character and appearance of the conservation area; and deliver safe cycle routes.</p> <p>Stanton under Bardon – allocate land for a minimum of 30 new homes; support the relocation of the community centre; address existing deficiencies in green space and play provision; implement strategic green infrastructure; support proposals that contribute to the National Forest Strategy and Charnwood Forest Regional Park; and deliver safe cycle routes.</p> <p>Sheepy Magna – allocate land for a minimum of 20 new homes; support proposals to provide a village shop; address existing deficiencies in green space and play provision and deliver safe cycle routes.</p> <p>Nailstone – allocate land for a minimum of 20 new homes;</p>

	<p>address existing deficiencies in green space and play provision; and deliver safe cycle routes.</p> <p>Twycross – allocate land for a minimum of 20 new homes; address existing deficiencies in green space and play provision; deliver strategic green infrastructure; require new development to respect the character and appearance of the conservation area; deliver safe cycle routes; and support the role of Twycross Zoo as a tourist destination.</p> <p>Witherley – work with the Highways Agency to address identified problems with the A5/Kennel Lane junction; address existing deficiencies in green space and play provision; require new development to respect the character and appearance of the conservation area; and deliver safe cycle routes.</p> <p>Congerstone – allocate land for a minimum of 10 new homes; address existing deficiencies in green space and play provision; deliver strategic green infrastructure; and require new development to respect the character and appearance of the conservation area.</p>
Policy 13	<p>Rural Hamlets: supports housing development within settlement boundaries that provides for a mix of housing types and tenures; complies with policy 17: Local Needs; enabling home working and other small scale employment uses within settlement boundaries; resists the loss of local shops and facilities unless it is demonstrated that the business or facility can no longer operate in a viable manner; deliver strategic green infrastructure; contributes to the delivery of the National Forest Strategy and the Charnwood Forest Regional Park; provides transport improvements; supports the tourism industry; requires new development to respect the character and appearance of the relevant Conservation Area and requires development to be of a highest environmental standards.</p>
Policy 19	<p>Green Space and Play Provision: seeks to ensure that all residents have access to sufficient, high quality and accessible green spaces and play areas.</p>
Policy 21	<p>National Forest: supports: the implementation of the National Forest to the north east of the borough; enhancing biodiversity; developing a new woodland economy for timber products and wood fuel energy; outdoor recreational and sports provision; and tourism developments subject to the siting and scale of the development being related to its setting within the Forest; reflecting the character and appearance of the wider countryside and not adversely affecting the existing facilities and working landscape of either the Forest or the wider countryside.</p>
Policy 23	<p>Tourism Development: tourism development for new and extended visitor attractions including major facilities will be encouraged in suitable locations where: the development can help support the existing local community services and facilities; and is of a design and scale which is appropriate to the character of the surrounding area; and it adds to Hinckley and Bosworth’s local distinctiveness; and it complements the tourism themes of the borough; and it adds to the economic well being of the area.</p>
Policy 24	<p>Sustainable Design and Technology: seeks to ensure all new</p>

	development meets specified sustainable design and technology standards.
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Hinckley and Bosworth Local Plan 2001	
INFRASTRUCTURE	
Policy IMP1	Contributions towards the provision of infrastructure and facilities: requires contributions towards the provision of infrastructure and facilities to serve the development commensurate with the scale and nature of the development proposed. <i>This policy is consistent with the intentions of the NPPF.</i>
HOUSING	
Policy RES5	Residential Proposals on Unallocated Sites: states that on sites that are not specifically allocated in the plan for housing, planning permission will only be granted for new residential development if the site lies within a settlement boundary and the siting, design and layout of the proposal does not conflict with the relevant plan policies. <i>This policy is consistent with the intentions of the NPPF if the development is within the settlement boundary but has limited consistency in all other locations.</i>
CONSERVATION AND BUILT ENVIRONMENT	
Policy BE1	Design and Siting of Development: requires that planning permission for development proposals will be granted where they: complement or enhance the character of the surrounding area with regards to scale, layout, density, materials and architectural features; avoid loss of open spaces; has regard to safety; incorporates design features which reduce energy consumption, encourages recycling and minimises impact on local environment; incorporates a high standard of landscaping; meets DDA requirements where necessary; ensure adequate highway visibility and parking standards and manoeuvring facilities; do not adversely affect the amenities of neighbouring properties; and would not be prejudicial to the comprehensive development of a larger area of land of which the development forms part. For residential proposes development should incorporate urban design standards, ensure adequate degree of amenity and privacy and provide sufficient amenity space. <i>Criteria a - i of this policy are consistent with the NPPF and as such the policy should be given weight.</i>
Policy BE5	The Setting of a Listed Building: seeks to preserve and enhance the setting of listed buildings by appropriate control through the design of new development in the vicinity. <i>This policy is consistent with the intentions of the NPPF.</i>
Policy BE7	Development in Conservation Areas: states that primary planning policy will be the preservation or enhancement of their special character. Planning permission for proposals which would harm their special character or appearance will not be granted. <i>This policy is consistent with the intentions of the NPPF.</i>
Policy BE13	Initial Assessment of Sites of Archaeological Interest and Potential: states that any application where triggered, should be accompanied by an initial assessment of whether the site is known or likely to contain archaeological remains. <i>This policy is consistent with the intentions of the NPP but NPPF offers more precise guidance.</i>

Policy BE14	<p>Archaeological Field Evaluation of Sites: requires that where archaeological remains may exist, there is a need for an archaeological field evaluation to be carried out by a professionally qualified archaeological organisation or archaeologist.</p> <p><i>This policy is consistent with the intentions of the NPP but NPPF offers more precise guidance.</i></p>
Policy BE15	<p>Preservation of Archaeological Remains in Situ: seeks to protect important archaeological remains through planning conditions which require the remains to be left in situ and any damage to the remains to be avoided or minimised through appropriate design, layout, ground levels, foundations and site work methods.</p> <p><i>This policy is consistent with the intentions of the NPP but NPPF offers more precise guidance.</i></p>
Policy BE16	<p>Archaeological Investigation and Recording: states that the Local Planning Authority can impose conditions requiring that satisfactory archaeological investigation and recording be carried out.</p> <p><i>This policy is consistent with the intentions of the NPPF but NPPF offers more precise guidance.</i></p>
Policy BE19	<p>Open Spaces and Areas of Special Character within Settlements: seeks retention of any open area of land or visual breaks between buildings identified as making a contribution to the special character of a settlement.</p> <p><i>This policy has limited consistency with the intentions of the NPPF</i></p>
THE NATURAL ENVIRONMENT	
Policy NE2	<p>Pollution: states that planning permission will not be granted for development which would be likely to cause material harm through pollution of the air or soil or suffer material harm from either existing or potential sources of air and soil pollution.</p> <p><i>This policy is consistent with the intentions of the NPPF.</i></p>
Policy NE5	<p>Development in the Countryside: states that the countryside will be protected for its own sake and that planning permission will be granted for built and other forms of development in the countryside provided that the development is either:-</p> <ol style="list-style-type: none"> a) Important to the local economy and cannot be provided within or adjacent to an existing settlement; or b) For the change of use, reuse or extension of existing buildings, particularly those of historic value; or c) For sport or recreation purposes. <p>And only where the following criteria are met:-</p> <ol style="list-style-type: none"> i) It does not have an adverse effect on the appearance or character of the landscape. ii) It is in keeping with the scale and character of existing buildings and the general surroundings. iii) Where necessary it is effectively screened by landscaping or other methods. iv) The proposed development will not generate traffic likely to exceed the capacity of the highway network or impair road safety. <p><i>This policy is consistent with the intentions of the NPPF for rural</i></p>

	<i>enterprise proposals but has limited consistency in all other respects</i>
Policy NE12	Landscaping Schemes: requires proposals for development to make provision for further landscaping where appropriate. <i>This policy is partially consistent with the intentions of the NPPF.</i>
Policy NE13	The Effects of Development on Natural Watercourses: protects the drainage functions of the natural watercourse system and seeks adequate on or off site protection, alleviation or mitigation where it is affected. This includes development in the floodplain; preventing access to watercourses for maintenance; giving rise to substantial changes in the characteristics of surface water run off; causing adverse effects upon the integrity of fluvial defences. <i>This policy is consistent with the intentions of the NPPF but NPPF provides more guidance on process</i>
Policy NE14	Protection of Surface Waters and Groundwater Quality: seeks to ensure that developments do not compromise the quality of the water environment. <i>This policy has limited consistency with the intentions of the NPPF as it is too specific</i>

TRANSPORTATION

Policy T5	Highway Design and Vehicle Parking Standards: refers to the application of appropriate standards for highway design and parking provision for new development <i>This policy is consistent with the intentions of the NPPF.</i>
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RECREATION AND TOURISM

Policy REC3	New Residential Development – Outdoor Play Space for Children: requires the appropriate level of open space to be provided within development sites or, alternatively, a financial contribution to be negotiated towards the provision of new recreation facilities within the vicinity of the site or towards the improvement of existing facilities in the area. <i>This policy is consistent with the intentions of the NPPF.</i>
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Supplementary Planning Guidance / Documents

New Residential Development SPG	Provides guidance on design issues to ensure new developments are well integrated into their surroundings, offer a good standard of security and amenity to future residents, protect amenity of existing occupiers and are locally distinctive in their appearance.
Play and Open Space Guide 2008 SPD	Sets out the Boroughs approach when considering applications for development likely to generate a demand for open space and play facilities.
Sustainable Design 2008 SPD	Promotes sustainable development to contribute towards a greener future. It offers best practice guidance to developers in the design process, and requires an effective contribution of sustainable energy on each new building across the Borough.

Other Material Policy Guidance

Groby Conservation Area Appraisal	The conservation area in Groby was declared in 1976. The appraisal subdivides the areas according to different character. Each area is analysed in terms of its buildings of townscape merit, distinctive details, features of interest, green spaces and vegetation.
Landscape Character Assessment 2006	An evidence base document that defines areas with consistent distinctive characteristics resulting from the

	interaction of geology, landform, soils, vegetation, land use and human settlement. It provides an understanding of the landscape, its evolution and future pressures along with future management strategies. It also studies the urban character through assessing street patterns, urban form, landmark buildings and common building styles and materials to define the local vernacular of the principle settlements.
Site Allocations and Development Management Policies Development Plan Document – Pre-submission version	This document forms part of the Local Plan 2006 to 2026 (formerly LDF). It identifies specific sites for particular uses, such as housing, employment, retail, open space and community facilities that will deliver the aims and vision of the Core Strategy. It also contains development management policies which will be used to assess planning applications over the plan period. This document was published for consultation in February 2014. Modifications to this document are currently being prepared in advance of being submitted to the Secretary of State in Spring 2015. A full Examination is likely to take place in the summer of 2015.
Renewable Energy Capacity Study (2014)	An evidence base document published in 2014 to assess the technical and deployable potential for renewable and low carbon energy proposals within the Borough up until 2026.
Planning Policy Statement 10	Planning Policy Statement 10 (PPS10) sets out the government's policy to be taken into account by waste planning authorities and forms part of the national waste management plan for the UK, with the overarching intention to protect human health and the environment b producing less waste and re-using it as a resource wherever possible

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Appeal Decision

Site visit made on 16 April 2015

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23/04/2015

Appeal Ref: APP/K2420/D/15/3003975

149 The Park, Market Bosworth, Warwickshire, CV13 0LP.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr N Oxby against the decision of Hinckley and Bosworth Borough Council.
 - The application, Ref 14/00938/HOU, dated 22 September 2014, was refused by notice dated 5 January 2015.
 - The development proposed is extensions and alterations.
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. The scheme has been subject to change through the planning process, but the proposals subject of the Council's determination are depicted on Drawing No 14/50/06B. The proposed alterations and extensions include a relatively short extension at the front of the property at first floor level, alterations to the roof to enable a bedroom to be formed in the loft, and a rear extension at first floor level above the existing kitchen to form an en-suite master bedroom. The Council has no objection to the proposals in terms of their effect on the public realm. I consider the proposals at the front to be well designed and acceptable.
3. Arrangements had been made for me to assess the proposals from the curtilage of the next-door property, 151 The Park, which I did.

Main issue

4. Having regard to the foregoing, the main issue is the effect of the proposals on the living conditions of the neighbouring residents at 151 The Park with particular reference to overshadowing and visual impact.

Reasons

5. The appeal property is sited in The Park on the eastern approach to Market Bosworth. Development is restricted to one side of the road, being comprised of substantial detached properties in generously sized gardens. Opposite the houses is attractive, verdant parkland.
6. The proposed upward extension at the rear would be built upon the walls of the existing kitchen, which are sited less than two metres from the fenced boundary shared with 151 The Park. A glazed conservatory has been erected

- on the rear elevation of No 151, and this stands relatively close to the boundary.
7. No 151's rear elevation, which contains some windows to habitable rooms, and its conservatory addition face northwards, and neither element would therefore be likely to catch the sun other than during the summer. Even then, the bulk of Nos. 149 & 151 and their respective ground floor extensions would likely block the sun's rays to a substantial extent.
 8. Although the Council considers that the development would result in unacceptable overshadowing, it has not adequately explained how that could be the case, given the orientation of the two properties and the presence of the existing structures to the rear. There is no convincing evidence that the proposed rear extension would, by itself, cause unacceptable overshadowing materially affecting the amount of sun entering No 151, including its conservatory.
 9. A significant increase in the height and bulk of the side elevation facing No 151 would ensue, which would be perceived as overly dominant and oppressive when viewed from within No 151's glazed conservatory and from those parts of its garden closest to the house. I note that the appellant considers that the conservatory may not be in use during the winter. However, judging from its furnishings and general condition, I suspect that it is a valued amenity during the summer offering an attractive outlook over the garden. The proposed extension by reason of its size and proximity would considerably and harmfully reduce its amenity value.
 10. The appellant's CAD based illustrations of shadowing, given their relative lack of clarity, have been of limited assistance to me, and I have relied in this respect on my own judgement. However, they demonstrate clearly the substantial bulk of the proposed rear extension, compared with the existing situation, and its unacceptable dominating influence on next-door's conservatory.
 11. I therefore conclude that the proposed development would harm the living conditions of the neighbouring residents at No 151 by reason of its adverse visual impact. Accordingly, a material conflict arises with that provision of policy BE1 of the Hinckley and Bosworth Local Plan requiring development proposals to be sited and designed so as not to adversely affect the occupiers of neighbouring properties.

Other matters

12. The appellant's references to the *National Planning Policy Framework* (the Framework) have been noted, but I find that the proposals would be inconsistent with one of its core principles, which provides that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
13. I have considered all other matters raised in the representations, but no other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

PLANNING APPEAL PROGRESS REPORT

SITUATION AS AT: 15.05.15

WR - WRITTEN REPRESENTATIONS

IH - INFORMAL HEARING

PI - PUBLIC INQUIRY

FILE REF	CASE OFFICER	APPLICATION NO	TYPE	APPELLANT	DEVELOPMENT	SITUATION	DATES
	SA	14/01205/OUT (PINS 3033714)	IH	Davidsons Homes	Land To The South West Of Lutterworth Road Burbage (Residential development for up to 80 dwellings, open space and associated works (outline - access only))	Awaiting Start Date	
	EO	14/00435/OUT (PINS REF 3031324)	PI	Jupiter Strategic Land Ltd	Land At Cunnery Close West Of Bosworth Road East Of A447 Ashby Road Osbaston (Erection of up to 450 dwellings, 900m2 of B1 uses, 400m2 of A1 to A4 uses 1300m2 of D1 uses (Outline - Access Only))	Awaiting Start Date	
	JB	14/00065/UNUSES		Michael John Birchall	34 Peckleton Lane Desford (High hedge)	Awaiting Start Date	
	SA	14/00729/FUL (PINS REF 3031279)	IH	AGR Renewables Ltd	Land North West Of Barlestone Road Bagworth (Installation of 1 No. wind turbine (up to 94 metres in tip height) and associated infrastructure)	Awaiting Start Date	
	JB	14/00778/FUL (PINS REF 3030390)	WR	Mr P Brockhouse	Land North Of Watling Street Nuneaton (Erection of a dwelling and attached garage incorporating a photovoltaic roof panel array)	Awaiting Start Date	
	CH	14/00715/OUT (PINS REF 3025088)	WR	Mr Andrew Milne	Land South Of Bonita Bullfurlong Lane Burbage (Erection of 14 dwellings with vehicular access (outline - access, layout and scale))	Awaiting Start Date	
15/00009/PP	RW	14/01074/FUL (PINS REF 3013851)	WR	Mr Nick Jollands	148 Kirkby Road Barwell (Erection of a dwelling (resubmitted scheme))	Start Date Statement of Case Final Comments	12.05.15 16.06.15 30.06.15

15/00006/PP	RW	14/00706/FUL (PINS Ref 3007626)	WR	The Crown Estate	Beanfields Farm Derby Lane Shackerstone (Relocation of existing field entrance and formation of an agricultural access track)	Start Date Final Comments	10.04.15 29.05.15
15/00008/ENF	CA	12/00121/S (PINS Ref 3005897)	IH	E Taylor Skip Hire & Recycling Ltd	Land adjacent to the west of E Taylor Skip Hire & Recycling Ltd Leicester Road, Hinckley (Without planning permission the creation of hard standing and the use of the same for the unauthorised parking of non-agricultural vehicles)	Start Date Statement of Case Final Comments Informal Hearing Date	17.04.15 29.05.15 19.06.15 29.09.15
15/00007/ENF	CA	12/00121/S (PINS Ref 3005893)	IH	E Taylor Skip Hire & Recycling Ltd	Land adjacent to the west of E Taylor Skip Hire & Recycling Ltd (Without planning permission the change of use of land from agricultural use to the storage of non- agricultural waste and equipment)	Start Date Statement of Case Final Comments Informal Hearing Date	17.04.15 29.05.15 19.06.15 29.09.15
15/00003/PP	CA	14/00771/FUL (PINS Ref 3005171)	WR	Mr Richard Coley	Pear Tree Farm Watling Street Burbage (Extensions and alterations (outline - access only))	Start Date Awaiting Decision	12.03.15
15/00005/PP	SA	14/00475/OUT (PINS 3004910)	PI	Mr Terry McGreal	Land Off Dorchester Road, Sherborne Road And Ilminster Close Burbage (Residential development (outline - access only))	Start Date Statement Of Case (Rule 6) Public Inquiry (4 days)	19.03.15 30.04.15 1-4.12.15
15/00002/PP	SA	14/00108/OUT (PINS Ref 3003301)	PI	Cawrey Limited	Land South Of Markfield Road Ratby (Residential development (outline - access only))	Start Date Statement Common Ground Proof of Evidence Public Inquiry (4 days)	23.02.15 TBC 25.08.15 22-25.09.15
15/00001/PP	EO	14/00349/OUT (PINS Ref 3002014)	IH	Mr Jim Smith Watling Street Hinckley	The Poplars Watling Street Hinckley (Erection of one dwelling and four mobile homes (outline - access and layout only))	Start Date Awaiting Decision	04.02.15
14/00018/HEDGE	PP	14/00989/HEDGE (PINS Ref APP/HGW/14/384)	WR	Messrs Jack & David Woodward	The Brockey Farm Kirkby Road Barwell (Removal of hedgerow)	Start Date Site Visit Awaiting Decision	19.12.14 TBA

Decisions Received

14/00016/NONDET	AT	14/00480/FUL (PINS Ref 2227799)	PI	Westmoreland Developments Ltd	3 - 5 Hawley Road Hinckley (Erection of class A1 retail development with associated access, servicing, car parking and landscaping)	WITHDRAWN	14.04.15
15/00004/FTPP	SF	14/00938/HOU (PINS Ref 3003975)	WR	Mr N Oxby	149 The Park Market Bosworth Nuneaton (Extensions and alterations to dwelling)	DISMISSED	23.04.15

Rolling 1 April -15 May 2015

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
2	0	1	0	1	0	0	1	0	0	0	0	0	0

Enforcement Appeal Decisions

No of Appeal Decisions	Allowed	Dismissed	Split	Withdrawn

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Delegated Applications determined between 13/04/2015 and 15/05/2015

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Ambien					
	14/01173/FUL	PLANNING PERMISSION	21/04/2015	Mr Andrew Pallett	24 Pine Close Stoke Golding Nuneaton Leicestershire CV13 6EB
				Extensions and alterations to existing garage to form two-storey annexe.	
	15/00068/FUL	PLANNING PERMISSION	13/04/2015	Mr John Lawton	Aqueduct Farm Bosworth Road Shenton Nuneaton Leicestershire CV13 6DP
				Conversion of barns into 2 No. dwellings and relocation of existing farm access	
	15/00187/HOU	PLANNING PERMISSION	15/05/2015	Mr Tony Hayward	Convent Lodge Convent Drive Stoke Golding Nuneaton Leicestershire CV13 6JF
				Alterations to dwelling comprising of amendments to existing roof.	
	15/00353/TPOCA	APPLICATION WITHDRAWN	16/04/2015	Stonewater Limited	46 Convent Drive Stoke Golding Nuneaton Leicestershire CV13 6JF
				Works to two oak trees to the rear of the property.	
	15/00354/HOU	PLANNING PERMISSION	14/05/2015	Mr Angus	Cottage Farm Barr Lane Higham On The Hill Nuneaton Leicestershire CV13 6AW
				Erection of conservatory to rear of dwelling	
	15/00387/GDO	GENERAL DEVELOPMENT ORDER	06/05/2015	Tomlinsons Farm Shop	Romerden Farm Upton Lane Stoke Golding Nuneaton Leicestershire CV13 6EU
				Agricultural building for general agricultural storage	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Barlestone Nailstone And Osbasto					
15/00101/FUL	PLANNING PERMISSION	13/04/2015	Mr Derek Bloor	Home Farm Hall Lane Osbaston Nuneaton Leicestershire CV13 0DR	Erection of agricultural building for storage of machinery and animal feed
15/00102/OUT	OUTLINE PLANNING PERMISSION	13/04/2015	Mr G Liddington Esq.† Mrs H Driver	68 Main Street Nailstone Nuneaton Leicestershire CV13 0QE	Erection of 3 dwellings (outline - access and layout) and associated parking alterations to 68 and 70 Main Street including a new access
15/00192/FUL	PLANNING PERMISSION	30/04/2015	Marstons PLC	The Gate Inn Ashby Road Osbaston Nuneaton Leicestershire CV13 0HP	Erection of a beer cellar condensing unit and acoustic enclosure (retrospective)

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Barwell					
	15/00176/FUL	PLANNING PERMISSION	23/04/2015	Brookes Jordan Ltd	Unit 15 Moat Way Barwell Leicester Leicestershire LE9 8EY
				Erection of storage unit	
	15/00195/FUL	PLANNING PERMISSION	27/04/2015	Mr & Mrs J Borman	Land Adjacent To 20 Elwell Avenue Barwell Leicestershire
				Subdivision of plot and erection of 2 dwellings with associated access	
	15/00230/HOU	PLANNING PERMISSION	30/04/2015	Mr McKendry	63 The Common Barwell Leicester Leicestershire LE9 8BS
				Replacement porch	
	15/00367/HHGDO	GDO PRIOR APPROVAL NOT REQUIRED	28/04/2015	Mr And Mrs R Smith	96 Shilton Road Barwell Leicester Leicestershire LE9 8BN
				Rear extension measuring 5.915 metres in depth; 3.210 metres in height to the ridge; and 2.840 metres to the eaves	
	15/00447/GDO	PRIOR APPROVAL NOT REQUIRED	14/05/2015	Mr S Tysoe	Barwell Fields Farm Chapel Street Stapleton Leicester Leicestershire LE9 8JH
				Erection of steel portal framed agricultural building	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Burbage Sketchley & Stretton					
14/01273/FUL	PLANNING PERMISSION	01/05/2015	David Wilson Homes (East Midlands)	Land Off Three Pots Road Burbage Leicestershire	Substitution of house types to plots 10, 16, 20, and 25, including repositioning of plots 21, 22, 23 and 24 as approved by planning permission 14/00830/CONDIT
15/00083/CONDIT	PLANNING PERMISSION	01/05/2015	David Wilson Homes East Midlands	Land Off Three Pots Road Burbage Leicestershire	Removal of condition 9 (code for sustainable homes level 4) from planning permission 14/00830/CONDIT
15/00150/CONDIT	PLANNING PERMISSION	24/04/2015	Mr Stephen Powers	82 Coventry Road Burbage Hinckley Leicestershire LE10 2HR	Variation of condition 2 of planning permission 12/00942/FUL (Appeal Ref: APP/K2420/A/13/2203846) to amend plot 3 to create a dormer bungalow
15/00157/COU	PLANNING PERMISSION	23/04/2015	Mr Chris Freeman	46 Windsor Street Burbage Hinckley Leicestershire LE10 2EF	Change of use of first floor residential dwelling (C3) to office (B1)
15/00175/HOU	PLANNING PERMISSION	11/05/2015	Mr Paul Waller	Greenfields 114D Coventry Road Burbage Hinckley Leicestershire LE10 2HR	Extensions and alterations to dwelling and erection of new boundary treatment (revised proposal)
15/00194/HOU	PLANNING PERMISSION	06/05/2015	Mr Steven Powers	82 Coventry Road Burbage Hinckley Leicestershire LE10 2HR	Formation of a dropped kerb and hardstanding
15/00258/HOU	PLANNING PERMISSION	14/05/2015	Orbit	86 Lutterworth Road Burbage Hinckley Leicestershire LE10 2DW	Installation of external wall insulation to front and rear elevations
15/00294/HOU	PLANNING PERMISSION	05/05/2015	Mr Glen Davison	30 Troon Way Burbage Hinckley Leicestershire LE10 2GX	Two story front extension to dwelling.

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
	15/00372/HOU	PLANNING PERMISSION	27/04/2015	Mrs Morris	56 Greenmoor Road Burbage Hinckley Leicestershire LE10 2LT
				Extensions and alterations to dwelling	
Burbage St Catherines & Lash Hill					
	15/00117/HOU	PLANNING PERMISSION	06/05/2015	Mr Roy Alan Harbour	31 Lucas Road Burbage Hinckley Leicestershire LE10 2LZ
				Erection of brick wall with pillars and metal railings, and gates (retrospective).	
	15/00173/FUL	PLANNING PERMISSION	07/05/2015	Mr Luke Wilson	126 Featherston Drive Burbage Hinckley Leicestershire LE10 2PP
				Erection of dwelling with access. a replacement garage and associated landscaping (revised scheme)	
	15/00183/ADV	ADVERTISEMENT CONSENT	23/04/2015	Greene King	Johnsons Apparelmaster Ltd Rugby Road Burbage Hinckley Leicestershire LE10 2ND
				Display of internally and externally illuminated signage and non-illuminated signage.	
	15/00256/HOU	PLANNING PERMISSION	14/05/2015	Orbit	20 And 22 Woodland Avenue Burbage Hinckley Leicestershire LE10 2BD
				Installation of external wall insulation to front and rear elevations	
	15/00257/HOU	PLANNING PERMISSION	14/05/2015	Orbit	28 Woodland Avenue Burbage Hinckley Leicestershire LE10 2BD
				Installation of external wall insulation to front and rear elevations	
	15/00291/HOU	PLANNING PERMISSION	06/05/2015	Mr Gary Stone	21 Sunnyhill Burbage Hinckley Leicestershire LE10 2SB
				Proposed garage to front and single storey extension to side	
	15/00346/OUT	REFUSAL OF PLANNING PERMISSION	13/05/2015	Mr Kevin Jarvis	89 Brookside Burbage Hinckley Leicestershire LE10 2TG
				Erection of one new dwelling (outline - all matters reserved)	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Cadeby Carlton M Bosworth & Sha					
	14/01164/COU	PLANNING PERMISSION	13/04/2015	Mr Daniel Sullivan	Harcourt Mill Barton Road Carlton Nuneaton Leicestershire CV13 0RL
				Change of use from agricultural to land for the grazing of horses and erection of stable block (retrospective)	
	15/00138/CONDIT	PLANNING PERMISSION	21/04/2015	Mr & Mrs P Shouls	Land Off West End Barton In The Beans Nuneaton Leicestershire CV13 0DG
				Variation of condition 1 of temporary planning permission 11/00895/TEMP to extend the permission until 8th March 2018 in order for the applicant to demonstrate the long term viability of the business	
	15/00153/FUL	PLANNING PERMISSION	22/04/2015	Mr T Ryley	Little Friezeland Farm Wellsborough Road Market Bosworth Nuneaton Leicestershire CV13 6LR
				Demolition of existing dwelling and erection of replacement dwelling	
	15/00184/HOU	PLANNING PERMISSION	12/05/2015	Mrs Norma Dingley	6 Sutton Lane Market Bosworth Nuneaton Leicestershire CV13 0LB
				Dropped kerb to front of property and hard standing to create off-road parking space	
	15/00185/COU	PLANNING PERMISSION	07/05/2015	Mr Richard Vero	Land East Of Ashby Road And The Old Rectory Church Lane Cadeby Nuneaton Leicestershire CV13 0AT
				Change of use of agricultural land to paddock and erection of a stable block	
	15/00190/HOU	PLANNING PERMISSION	28/04/2015	Mr David Paice	21 Shenton Lane Market Bosworth Nuneaton Leicestershire CV13 0LA
				Formation of dropped kerb	
	15/00202/FUL	PLANNING PERMISSION	27/04/2015	Mr And Mrs P Chapman	Land North West Of The Bungalow Poplar Terrace Congerstone Nuneaton Leicestershire CV13 6NE
				Subdivision of plot and erection of a dwelling	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
15/00221/HOU	PLANNING PERMISSION	29/04/2015	Mr & Mrs Richard Sheppard	Orchard Farm Hinckley Road Cadeby Nuneaton Leicestershire CV13 0BD	Demolition of existing ground floor extension and erection of two storey extension
15/00328/FUL	PLANNING PERMISSION	27/04/2015	Market Bosworth School	The Market Bosworth School 42 - 54 Station Road Market Bosworth Nuneaton Leicestershire CV13 0JS	Erection of a single story modular building providing two classrooms
15/00344/FUL	PLANNING PERMISSION	11/05/2015	Mr Steve Hatcher	Station Road Industrial Estate Station Road Market Bosworth Leicestershire	Proposed first floor extension to the rear of industrial unit.
15/00496/C	RECOMMENDATION ONLY	15/05/2015	Leicestershire County Council	Cadeby Quarry Naneby Hall Farm Brascote Lane Cadeby Nuneaton Leicestershire CV13 0BB	S73 Application to vary condition 3 and 4 of planning permission 2014/0885/04 (Restoration Scheme) - County Council Identity Number: 2015/VOCM/0120/LCC)

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Earl Shilton					
	15/00165/FUL	PLANNING PERMISSION	30/04/2015	Tony Morris Builders	Earl Shilton And Bosworth Squash Club New Street Earl Shilton Leicester Leicestershire LE9 7FR Demolition of former squash building and erection of 3 dwellings
	15/00259/HOU	PLANNING PERMISSION	14/05/2015	Orbit	2 Earl Street Earl Shilton Leicester Leicestershire LE9 7AQ Installation of external wall insulation to front, side and rear elevations
	15/00260/HOU	PLANNING PERMISSION	14/05/2015	Orbit	10 Earl Street Earl Shilton Leicester Leicestershire LE9 7AQ Installation of external wall insulation to front, side and rear elevations.
	15/00261/HOU	PLANNING PERMISSION	14/05/2015	Orbit	30 Earl Street Earl Shilton Leicester Leicestershire LE9 7AQ Installation of external wall insulation to front, side and rear elevations.
	15/00262/HOU	PLANNING PERMISSION	14/05/2015	Orbit	36 Earl Street Earl Shilton Leicester Leicestershire LE9 7AQ Installation of external wall insulation to front, side and rear elevations.
	15/00263/HOU	PLANNING PERMISSION	14/05/2015	Orbit	17 And 19 Earl Street Earl Shilton Leicester Leicestershire LE9 7AR Installation of external wall insulation to front, side and rear elevations
	15/00264/HOU	PLANNING PERMISSION	12/05/2015	Orbit	27 Earl Street Earl Shilton Leicester Leicestershire LE9 7AR Installation of external wall insulation to front, side and rear elevations.
	15/00267/HOU	PLANNING PERMISSION	12/05/2015	Orbit	35 Earl Street Earl Shilton Leicester Leicestershire LE9 7AR Installation of external wall insulation to front and rear elevations

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
	15/00270/HOU	PLANNING PERMISSION	12/05/2015	Orbit	1 Tower Road Earl Shilton Leicester Leicestershire LE9 7EG Installation of external wall insulation to front, side and rear elevations
	15/00273/HOU	PLANNING PERMISSION	12/05/2015	Orbit	19 Tower Road Earl Shilton Leicester Leicestershire LE9 7EG Installation of external wall insulation to front, side and rear elevations
	15/00274/HOU	PLANNING PERMISSION	12/05/2015	Orbit	29 Tower Road Earl Shilton Leicester Leicestershire LE9 7EG Installation of external wall insulation to front, side and rear elevations
	15/00278/HOU	PLANNING PERMISSION	12/05/2015	Orbit	152 Heath Lane Earl Shilton Leicester Leicestershire LE9 7PD Installation of external wall insulation to front and rear elevations
	15/00280/HOU	PLANNING PERMISSION	12/05/2015	Orbit	107 Heath Lane Earl Shilton Leicester Leicestershire LE9 7PF Installation of external wall insulation to front, side and rear elevations
	15/00283/HOU	PLANNING PERMISSION	12/05/2015	Orbit	30 Norton Road Earl Shilton Leicester Leicestershire LE9 7PJ Installation of external wall insulation to front, side and rear elevations
	15/00284/HOU	PLANNING PERMISSION	12/05/2015	Orbit	115, 117 And 119 Heath Lane Earl Shilton Leicester Leicestershire LE9 7PF Installation of external wall insulation to front, side and rear elevations.
	15/00285/HOU	PLANNING PERMISSION	12/05/2015	Orbit	9 And 11 Mallory Street Earl Shilton Leicester Leicestershire LE9 7PH Installation of external wall insulation to front, side and rear elevations.
	15/00286/HOU	PLANNING PERMISSION	12/05/2015	Orbit	16 Mallory Street Earl Shilton Leicester Leicestershire LE9 7PH Installation of external wall insulation to front, side and rear elevations.

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
	15/00287/HOU	PLANNING PERMISSION	12/05/2015	Orbit	16 Norton Road Earl Shilton Leicester Leicestershire LE9 7PJ
				Installation of external wall insulation to front, side and rear elevations	
	15/00325/TPO	PERMIT TREE PRESERVATION ORDER WORKS	08/05/2015	Mrs Louise Greaves	7 Prospect Way Earl Shilton Leicester Leicestershire LE9 7EA
				Works to Sycamore tree	
	15/00330/HOU	PLANNING PERMISSION	11/05/2015	Mr Adrian Gibson	26 Almond Way Earl Shilton Leicester Leicestershire LE9 7HZ
				Extensions and alterations	
	15/00339/TPO	PERMIT TREE PRESERVATION ORDER WORKS	11/05/2015	Mr Graham Williams	8 The Grange Earl Shilton Leicester Leicestershire LE9 7GT
				Removal of T1 with works to T2 and T3	
	15/00341/FUL	PLANNING PERMISSION	07/05/2015	Mr Gordon Deacon	Land Adj. 10 Oxford Street Earl Shilton Leicester Leicestershire LE9 7BB
				Erection of two new dwellings	
	15/00349/HOU	PLANNING PERMISSION	15/05/2015	Miss Lisa Deacon	14 Columbus Lane Earl Shilton Leicestershire LE9 7JR
				Part ground floor, part first floor extension to rear of dwelling	
	15/00352/HHGDO	GDO PRIOR APPROVAL NOT REQUIRED	29/04/2015	Mr And Mrs Holleworth	176 Hinckley Road Earl Shilton Leicester Leicestershire LE9 7LE
				Rear extension measuring 5.97 metres in depth; 2.7 metres in height to ridge; and 1.75 metres in height to the eaves	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Groby					
	15/00012/HOU	PLANNING PERMISSION	23/04/2015	Mr Robert Watson	2 Pymm Ley Gardens Groby Leicester Leicestershire LE6 0FU
				Proposed alterations to raise roof and insertion of dormer windows to front and rear	
	15/00152/FUL	PLANNING PERMISSION	06/05/2015	Mr Paul Garner	G. E. Sensing Fir Tree Lane Groby Leicester Leicestershire LE6 0FH
				Formation of a vehicular access and car park	
	15/00170/HOU	PLANNING PERMISSION	20/04/2015	Mr & Mrs David Donlan	15 Newtown Linford Lane Groby Leicester Leicestershire LE6 0EA
				Conversion of car port to living accommodation	
	15/00342/HHGDO	GDO PRIOR APPROVAL NOT REQUIRED	30/04/2015	Mrs Sarah Hodgkins	29 Farr Wood Close Groby Leicester Leicestershire LE6 0FX
				Rear extension measuring 4 metres in depth; 3.5 metres in height to the ridge; and 2.4 metres to the eaves	
	15/00345/C	RECOMMENDATION ONLY	17/04/2015		Martinshaw County Primary School Forest Rise Groby Leicester Leicestershire LE6 0BB
				Demolition of existing mobile classroom unit and replacement with new classroom with associated staff room extension and additional car parking	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Hinckley Castle					
	14/00913/ADV	ADVERTISEMENT CONSENT	28/04/2015	Mr John Whittaker	St Mary's Church Hinckley Leicestershire LE10 1DW
				Display of 3 entrance signs to at pedestrian entrances to church yard, 1 entrance sign at car entrance to church yard and 1 noticeboard next to side entrance of church 3 Direction plaques (wooden) on church wall 400 mm x 250mm	
	15/00076/CONDIT	PLANNING PERMISSION	24/04/2015	Mr Andrew Tyler	Flutters Bingo Rugby Road Hinckley Leicestershire LE10 0AW
				Variation and removal of conditions for the erection of a new retail store and associated car parking and landscaping following partial demolition of former Bingo Hall related to previous planning permissions 11/00709/HYB and 13/01039/FUL (part-retrospective)	
	15/00142/FUL	PLANNING PERMISSION	23/04/2015	Mr & Mrs Bennett	76 Trinity Lane Hinckley Leicestershire LE10 0BJ
				Extension and alterations to existing outbuildings and conversion to form one new dwelling	
	15/00161/FUL	PLANNING PERMISSION	23/04/2015	HSBC Banking PLC	10 Market Place Hinckley Leicestershire LE10 1NT
				Replacement of existing ATM machine and alterations to accommodate disabled users	
	15/00164/HOU	PLANNING PERMISSION	20/04/2015	Mrs Sarah Dean	44 Merevale Avenue Hinckley Leicestershire LE10 0PY
				Proposed dormer window to front	
	15/00254/HOU	PLANNING PERMISSION	14/05/2015	Orbit	119 London Road Hinckley Leicestershire LE10 1HH
				Installation of external wall insulation to front and rear elevations	
	15/00255/HOU	PLANNING PERMISSION	14/05/2015	Orbit	31 And 33 Park Road Hinckley Leicestershire LE10 1HT
				Installation of external wall insulation to front, side and rear elevations	
	15/00327/FUL	PLANNING PERMISSION	14/05/2015	National Grid	National Grid Brick Kiln Street Hinckley Leicestershire
				Erection of modular building.	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
	15/00396/NOMAT	PERMIT NON MATERIAL AMENDMENTS	08/05/2015	Mr Patrick Arthurs	Bus Station Lancaster Road Hinckley Leicestershire
				Non-material amendment of planning permission 13/00883/REM to amend the landscaping plan to remove the raised table from Lancaster Road and the layout of the loading area on Station Road.	
Hinckley Clarendon					
	15/00122/COU	PLANNING PERMISSION	21/04/2015	Mr R Sokhi	Bubble Boyz Car Wash Watling Street Hinckley Leicestershire LE10 3ED
				Change of use of former service station (sui generis) to extend cafe (A3)	
	15/00241/HOU	PLANNING PERMISSION	12/05/2015	Orbit	113 Strathmore Road Hinckley Leicestershire LE10 0LP
				Installation of external wall insulation to front elevation	
	15/00242/HOU	PLANNING PERMISSION	13/05/2015	Orbit	186 Strathmore Road Hinckley Leicestershire LE10 0LS
				Installation of external wall insulation to front, side and rear elevations.	
	15/00324/HOU	PLANNING PERMISSION	06/05/2015	Mr & Mrs Mackley	484 Coventry Road Hinckley Leicestershire LE10 0NJ
				First floor extension to rear	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Hinckley DeMontfort					
	14/01231/COU	PLANNING PERMISSION	15/04/2015	Mr K Vijayarajah	31 Forest Road Hinckley Leicestershire LE10 1HA Change of use from (C3) residential dwelling to (A1) shop
	15/00091/FUL	PLANNING PERMISSION	07/05/2015	John Cleveland College	Community Centre John Cleveland College Butt Lane Hinckley Leicestershire LE10 1LE Erection of security fencing and alterations to existing building including installation of an access ramp
	15/00128/HOU	PLANNING PERMISSION	08/05/2015	Mr Carl Dowell	39 York Road Hinckley Leicestershire LE10 0RH Erection of a double garage
	15/00166/COU	PLANNING PERMISSION	21/04/2015	Mr Ibrahim Kaya	S I Newsagents Off Licence 64 - 68 Ashby Road Hinckley Leicestershire LE10 1SN Change of use from a shop (Use Class A1) and house of multiple occupation (Use Class C4) to form three dwellings (Use Class C3)
	15/00168/CONDIT	PLANNING PERMISSION	30/04/2015	Mrs Frisby	9 Spa Lane Hinckley Leicestershire LE10 1JA Variation of condition 2 of planning permission 11/00224/FUL to partially convert the double garage of plot 1 to living accommodation
	15/00199/HHGDO	GDO PRIOR APPROVAL NOT REQUIRED	17/04/2015	Mr Justin Partner	3 St Louis Close Hinckley Leicestershire LE10 1FP Rear extension measuring 5.5 metres in depth; 3.5 metres in height to the ridge; and 2.3 metres to the eaves
	15/00245/HOU	PLANNING PERMISSION	12/05/2015	Orbit	9 Radmore Road Hinckley Leicestershire LE10 0RG Installation of external wall insulation to front, side and rear elevations.
	15/00247/HOU	PLANNING PERMISSION	12/05/2015	Orbit	20 Radmore Road Hinckley Leicestershire LE10 0RQ Installation of external wall insulation to front, side and rear elevations.

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
15/00253/HOU	PLANNING PERMISSION	14/05/2015	Orbit	34 Radmore Road Hinckley Leicestershire LE10 0RQ	Installation of external wall insulation to front, side and rear elevations

Hinckley Trinity

15/00158/CLUE	CERTIFICATE OF LAWFUL EXISTING USE	17/04/2015	Mrs V Upton	Stoke Fields Farm Stoke Road Hinckley Leicestershire LE10 3EA	Certificate of existing lawful use for residential dwelling
15/00197/HOU	PLANNING PERMISSION	13/05/2015	Orbit	15 Burleigh Road Hinckley Leicestershire LE10 0DG	Installation of external wall insulation to front, side and rear elevations.
15/00198/HOU	PLANNING PERMISSION	13/05/2015	Orbit	1 Alexander Gardens Hinckley Leicestershire LE10 0ER	Installation of external wall insulation to front, side and rear elevations
15/00200/HOU	PLANNING PERMISSION	13/05/2015	Orbit	106 Edward Street Hinckley Leicestershire LE10 0DN	Installation of external wall insulation to front and rear elevations
15/00209/HOU	PLANNING PERMISSION	13/05/2015	Orbit	118 And 120 Edward Street Hinckley Leicestershire LE10 0DN	Installation of external wall insulation to front, side and rear elevations.
15/00210/HOU	PLANNING PERMISSION	28/04/2015	Mr & Mrs McAleer	3 Wykin Road Hinckley Leicestershire LE10 0HU	Erection of first floor rear extension

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Markfield Stanton & Fieldhead					
15/00132/FUL	PLANNING PERMISSION	24/04/2015	Mr Patrick Godden	Upper Grange Farm Ratby Lane Markfield Leicestershire LE67 9RJ	Erection of a stable block
15/00141/HOU	PLANNING PERMISSION	06/05/2015	Orbit	53 Ashby Road Markfield Leicestershire LE67 9UB	Installation of external wall insulation to front and rear elevations.
15/00155/HOU	REFUSAL OF PLANNING PERMISSION	24/04/2015	Mr Gerard Godden	Ormandy Broad Lane Stanton Under Bardon Markfield Leicestershire LE67 9TB	Proposed two storey rear extension
15/00162/HOU	PLANNING PERMISSION	20/04/2015	Mrs Shirley Anne Golding	16 Oak Green Markfield Leicestershire LE67 9RX	Proposed conservatory to rear
15/00179/OUT	OUTLINE PLANNING PERMISSION	22/04/2015	Mrs Barbara Pearce	Land At Mayflower Walk R/o 94 Oakfield Avenue Markfield Leicestershire LE67 9WG	Erection of three single storey dwellings (outline - access only)
15/00266/HHGDO	GDO PRIOR APPROVAL NOT REQUIRED	17/04/2015	Mr And Mrs Ian Springthorpe	Staff Cottage 5 Ratby Lane Markfield Leicestershire LE67 9RJ	Rear extension measuring 5.00 metres in depth; 3.0 metres in height to the ridge; and 3.0 metres to the eaves
15/00351/TPO	PERMIT TREE PRESERVATION ORDER WORKS	13/05/2015	Mr Ginvert	5 The Paddock Markfield Leicestershire LE67 9RR	Removal of T4 and works to T1, T2, T3, T5, T6, T7 and T8

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
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Newbold Verdon With Desford & P

15/00024/OUT	REFUSAL OF PLANNING PERMISSION	14/04/2015	Mr K Petcher	Broadwalk Dragon Lane Newbold Verdon Leicester Leicestershire LE9 9NG
			Demolition of existing garages and erection of a dwelling (outline - all matters reserved)	
15/00062/TPO	PERMIT TREE PRESERVATION ORDER WORKS	15/04/2015	Mr Michael Rhodes	6 Summers Close Kirkby Mallory Leicester Leicestershire LE9 7QP
			Works to Horse Chestnut tree	
15/00103/ADV	ADVERTISEMENT CONSENT	22/04/2015	Mr Rick Bell	Land Adjacent To 59 Main Street Newbold Verdon Leicester Leicestershire LE9 9NP
			Erection of decorative village sign.	
15/00137/COU	PLANNING PERMISSION	15/04/2015	Mr Harry Szafranek	67 Desford Road Newbold Verdon Leicester Leicestershire LE9 9LG
			Change of use of land from agricultural to residential curtilage (Retrospective)	
15/00147/HOU	PLANNING PERMISSION	14/04/2015	Mr Richard Peet	14 Summers Close Kirkby Mallory Leicester Leicestershire LE9 7QP
			Extensions and alterations to garage	
15/00337/TPOCA	PERMIT CONSERVATION AREA TPO WORKS	15/04/2015	Mrs Christine Geegan	55 Main Street Newbold Verdon Leicester Leicestershire LE9 9NN
			Removal of conifer tree	
15/00338/TPO	PERMIT TREE PRESERVATION ORDER WORKS	11/05/2015	Mr Stephen Beal	5 Manor Gardens Desford Leicester Leicestershire LE9 9QB
			Works to Sycamore tree	
15/00366/ADV	ADVERTISEMENT CONSENT	27/04/2015	Everards Brewery	Olde Lancaster Inn Station Road Desford Leicester Leicestershire LE9 9FP
			Erection of 7 illuminated and 3 non-illuminated advertisements.	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
	15/00368/CONDIT	PLANNING PERMISSION	08/05/2015	Hallmark Power Ltd	Land At Lindridge Hall Farm Lindridge Lane Desford Leicester Leicestershire LE9 9FD
				Variation of condition 2 of planning permission 13/01030/FUL to widen the approved access track, provide temporary hard standing during construction along with the re-location of the sub-station.	
	15/00369/NOMAT	PERMIT NON MATERIAL AMENDMENTS	14/05/2015	Sun And Soil Ltd	Land West Of The Poultry Farm Desford Lane Ratby Leicester Leicestershire LE9 9BF
				Non-material amendment to planning permission 14/00654/FUL for the erection of 5.3MW solar farm and associated infrastructure to incorporate an amendment to the layout	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
Ratby Bagworth And Thornton					
	15/00054/FUL	PLANNING PERMISSION	16/04/2015	Mr Gary Wilford	8 The Sidings Merrylees Road Desford Leicester Leicestershire LE9 9FE
				Erection of new industrial unit	
	15/00099/FUL	PLANNING PERMISSION	07/05/2015	Mr John Hooper	Ashleys Wood Markfield Lane Thornton Leicestershire
				Proposed natural burial ground and nature reserve including access improvements and landscaping	
	15/00110/HOU	PLANNING PERMISSION	17/04/2015	Mr Ken Lowe	15 Church Lane Ratby Leicester Leicestershire LE6 0JF
				Erection of conservatory	
	15/00124/HOU	PLANNING PERMISSION	20/04/2015	Mr Kieran And Mrs Abby Gilmore	1 Whittington Drive Ratby Leicester Leicestershire LE6 0NE
				Proposed two storey side extension	
	15/00201/CLUP	CERTIFICATE OF LAWFUL PROPOSED USE	21/04/2015	Horizon Care And Education Group	45 Jackson Road Bagworth Coalville Leicestershire LE67 1HL
				Certificate of proposed use to change the property from a residential dwelling (Use Class C3) to a childrens care home (Use Class C2) subject to:- i) there being no more than three children in residence at any one time; ii)the age range of the children being between the ages of 9 years and 17 years; iii) there being no more than three adult carers in attendance at the premises at any one time and iv) that no room is used as an office and no business meetings of any kind take place at the premises.	
	15/00271/HOU	PLANNING PERMISSION	28/04/2015	Mr & Mrs M J & H E Davies	10 Stamford Street Ratby Leicester Leicestershire LE6 0JS
				Erection of garage and boundary wall and formation of dropped kerb.	
	15/00350/FUL	PLANNING PERMISSION	15/05/2015	Ms Lesley Neville	39 Highfields Thornton Coalville Leicestershire LE67 1AE
				Erection of one new dwelling	

<i>Ward</i>	<i>Reference</i>	<i>Decision</i>	<i>Date of Decision</i>	<i>Applicants Name</i>	<i>Address</i>
	15/00422/HHGDO	GDO PRIOR APPROVAL NOT REQUIRED	11/05/2015	Ms Kerry Hynard	30 Chestnut Drive Bagworth Coalville Leicestershire LE67 1GW
				Rear extension measuring 4.5 metres in depth; 3.4 metres in height to the ridge; and 2.5 metres to the eaves	
	15/00466/NOMAT	PERMIT NON MATERIAL AMENDMENTS	05/05/2015	Persimmon Homes North Midlands	Land South Of The Maynard Station Road Bagworth Leicestershire
				Non-material amendment to planning permission 12/00127/FUL to alter the internal retail layout reducing the number of units from 4 to 3	

Twycross Sheepy & Witherley

	15/00136/FUL	REFUSAL OF PLANNING PERMISSION	12/05/2015	Springbourne Homes Ltd	Land Adjacent To 5 Kingfisher Way Sheepy Parva Atherstone Leicestershire CV9 3SW
				Proposed changing rooms to serve tennis court (revised proposal)	
	15/00205/OUT	REFUSAL OF PLANNING PERMISSION	01/05/2015	Ms Judi Cookes	2A Drayton Lane Fenny Drayton Nuneaton Leicestershire CV13 6AZ
				Erection of 2 dwellings (outline - all matters reserved)	
	15/00400/NOMAT	PERMIT NON MATERIAL AMENDMENTS	14/05/2015	Twycross Zoological Park	Twycross Zoological Park Burton Road Norton Juxta Twycross Atherstone Leicestershire CV9 3PX
				Non-material amendement of planning application 14/00818/FUL for the erection of a gibbon house and landscaped enclosures.	