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Hinckley & Bosworth
Borough Council

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

Date: 24 February 2020

To: **Members of the Planning Committee**

Mrs MJ Crooks (Chairman)	Mr A Furlong
Mr DJ Findlay (Vice-Chairman)	Mr SM Gibbens
Mrs CM Allen	Mr E Hollick
Mr RG Allen	Mr KWP Lynch
Mr CW Boothby	Mrs LJ Mullaney
Mr MB Cartwright	Mr RB Roberts
Mr DS Cope	Mrs H Smith
Mr WJ Crooks	Mr BR Walker
Mr REH Flemming	

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **PLANNING COMMITTEE** in the De Montfort Suite - Hub on **TUESDAY, 3 MARCH 2020** 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 Manager

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- **Do not** use the lifts.
- **Do not** stop to collect belongings.

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Thank you

PLANNING COMMITTEE - 3 MARCH 2020

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS

2. MINUTES (Pages 1 - 4)

To confirm the minutes of the meeting held on 4 February 2020.

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. Items to be taken at the end of the agenda.

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 12.

6. DECISIONS DELEGATED AT PREVIOUS MEETING

To report progress on any decisions delegated at the previous meeting.

7. 19/01308/FUL - LAND NORTH OF CADEBY LANE, CADEBY (Pages 5 - 18)

Application for development of the land for the erection of three timber lodges for holiday let purposes on land north of Cadeby Lane (resubmission of 18/00805/FUL).

8. 19/01359/FUL - 12 JOHNS CLOSE, BURBAGE (Pages 19 - 26)

Application for demolition of bungalow and erection of one two-storey dwelling.

9. 19/01327/FUL - SPRING ACRE, LYCHGATE LANE, BURBAGE (Pages 27 - 40)

Application for change of use of land to mixed use for stationing of caravans for residential occupation (four pitches) with two dayrooms and for the keeping of horses.

10. APPEALS PROGRESS (Pages 41 - 46)

To report on progress relating to various appeals.

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HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

4 FEBRUARY 2020 AT 6.30 PM

PRESENT: Mrs MJ Crooks - Chairman
Mr DJ Findlay – Vice-Chairman
Mrs CM Allen, Mr RG Allen, Mr CW Boothby, Mr SL Bray (for Mrs LJ Mullaney),
Mr MB Cartwright, Mr DS Cope, Mr WJ Crooks, Mr REH Flemming,
Mr A Furlong, Mr SM Gibbens, Mr E Hollick, Mr KWP Lynch, Mr RB Roberts and
Mr BR Walker

Also in attendance: Councillor DC Bill MBE and Councillor LJP O'Shea JP

Officers in attendance: Matthew Bowers, Jenny Brader, Rhiannon Hill, Rebecca Owen, Michael Rice and Nicola Smith

290 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors L Mullaney and Smith, with the substitution of Councillor Bray for Councillor Mullaney authorised in accordance with council procedure rule 10.

291 MINUTES

It was moved by Councillor Cartwright, seconded by Councillor W Crooks and

RESOLVED – the minutes of the meeting held on 7 January be confirmed and signed by the chairman.

292 DECLARATIONS OF INTEREST

In relation to application 19/00742/FUL (item 8 on the agenda), Councillor Cartwright declared that the applicant had approached him for a meeting about climate change which he had attended but he stated that he had not formed a view on the application and his ability to sit on the committee and vote on the item was not affected.

Councillors Boothby and Bray declared that they had also met with the applicant but were coming to the meeting with an open mind.

293 DECISIONS DELEGATED AT PREVIOUS MEETING

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

294 19/00947/OUT - LAND OFF SKETCHLEY LANE, BURBAGE

It was noted that this item had been withdrawn from the agenda.

Application for residential development up to 168 dwellings (outline – access only) with associated means of access onto Markfield Road and Groby Road, car parking, new footpath links, amenity space and landscaping.

Notwithstanding the officer recommendation that permission be granted, some members felt that the proposal was detrimental to highway safety, not sustainable and would result in flooding. It was MOVED by Councillor Boothby and SECONDED by Councillor Roberts that permission be refused for these reasons. Upon being put to the vote, the motion was LOST.

It was then moved by Councillor Flemming, seconded by Councillor Walker and

RESOLVED –

- (i) permission be granted subject to:
 - a. The completion within three months of this resolution of a S106 agreement to secure the following obligations:
 - 40% affordable housing, 75% affordable rented and 25% shared ownership
 - £5,070.00 for library facilities at Ratby Library
 - £94,833.37 for education
 - £109,890.00 for health care provision (GP practices)
 - On-site open space requirement of at least 605m² of equipped play area; 2822m² of casual / informal play space and 6720m² of natural green space along with maintenance costs
 - Off-site open space contribution along with maintenance costs for 6451m² of outdoor sports provision and any of the required natural green space which cannot be accommodated on-site, and maintenance of the green space
 - Any highway contributions that may be requested and which are deemed to be CIL compliant
 - b. The conditions contained in the officer's report and late items;
- (ii) The Planning Manager be granted powers to determine the final detail of planning conditions;
- (iii) The Planning Manager be granted powers to determine the terms of the S106 agreement including the inclusion of any highway contributions and the trigger points and clawback periods of all contributions.

Councillor Boothby left the meeting at this juncture.

296 19/00607/FUL - LAND WEST OF BREACH LANE, EARL SHILTON

Application for erection of three detached dwellings.

It was moved by Councillor Allen, seconded by Councillor Flemming and

RESOLVED –

- (i) Permission be granted subject to:
 - a. The completion within three months of this resolution of a S106 agreement to secure play and open space obligations
 - b. The conditions contained in the officer's report
- (ii) The Planning Manager be granted powers to determine the final detail of the planning conditions;
- (iii) The Planning Manager be granted powers to determine the terms of the S106 agreement including trigger points and clawback periods.

297 19/00742/FUL - 42 STATION ROAD, EARL SHILTON

Application for erection of four apartments.

Some members felt that the proposal would be overbearing and would constitute overdevelopment, and provided insufficient parking. It was MOVED by Councillor R Allen and SECONDED by Councillor C Allen that permission be refused. Upon being put to the vote, the motion was LOST.

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

RESOLVED –

- (i) Permission be granted subject to the conditions contained in the officer's report;
- (ii) The Planning Manager be granted powers to determine the final detail of the planning conditions.

298 19/01035/FUL - LAND ADJACENT TO 1 BACK LANE, MARKET BOSWORTH

Erection of one dwelling.

It was moved by Councillor R Allen, seconded by Councillor Roberts and

RESOLVED – permission be refused for the reasons contained in the officer's report.

299 19/00496/FUL - 75A NEWBOLD ROAD, BARLESTONE

Application for erection of eight dwellings and associated access.

It was moved by Councillor Cartwright, seconded by Councillor Flemming and

RESOLVED –

- (i) Permission be granted subject to the conditions contained in the officer's report;
- (ii) The Planning Manager be granted powers to determine the final detail of planning conditions.

300 APPEALS PROGRESS

In considering the progress of various appeals, members discussed the appeal in relation to application 19/00253/CONDIT from Poundstretcher Limited. It was noted that the Planning Inspectorate had notified the council that the appeal would be by way of written representations. Officers, at the request of the Leader, had sent a written submission to the Planning Inspector in October 2019 requesting that the appeal be determined by way of public inquiry. The Planning Inspector had still stated that the method of appeal should be by way of written representations but that this would be reviewed in five week's time.

(The Meeting closed at 7.58 pm)

CHAIRMAN

Planning Committee 3 March 2020
Report of the Planning Manager

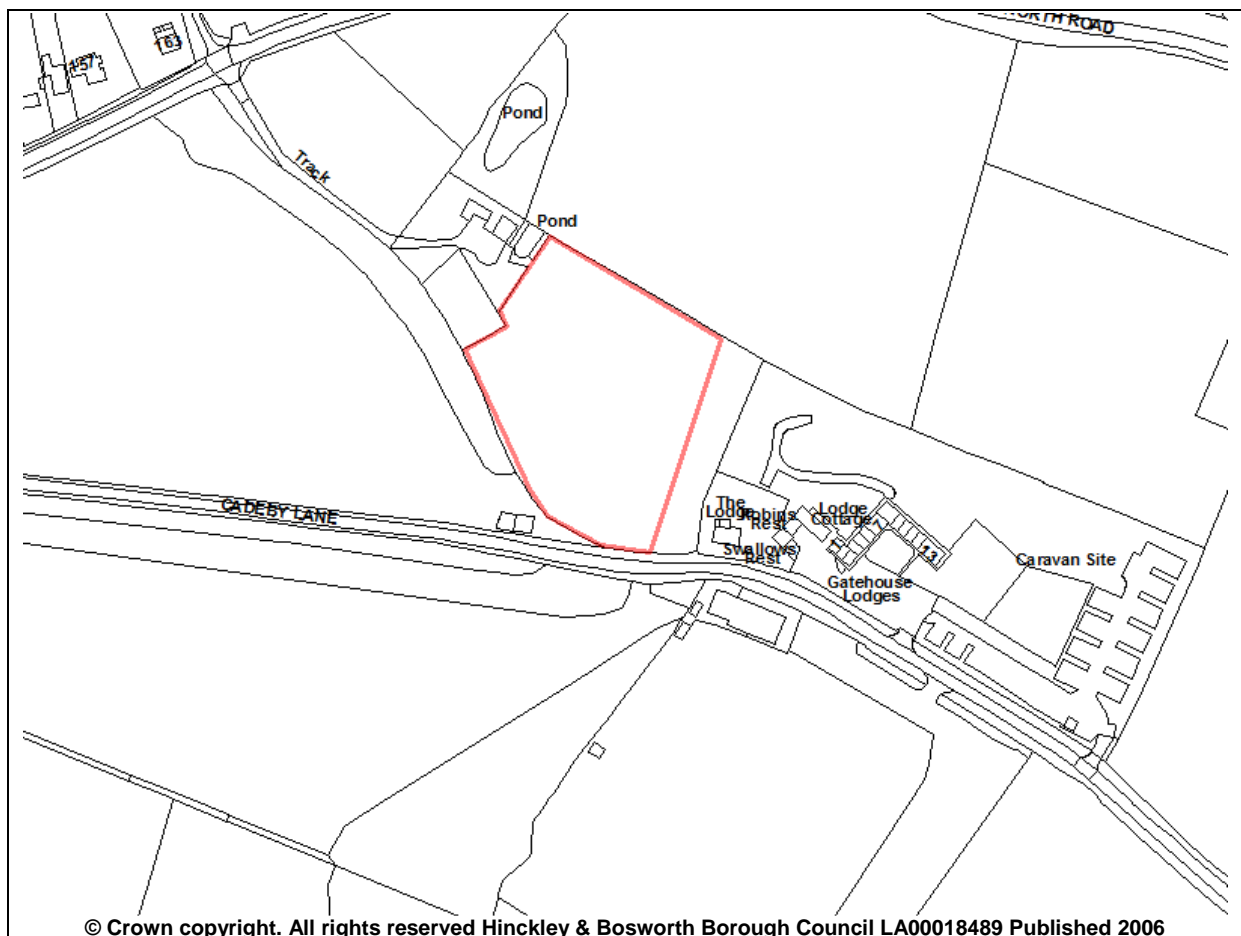
Planning Ref: 19/01308/FUL
Applicant: Ms Pauline Martina Smullen
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Land North Cadeby Lane Cadeby

Proposal: Development of the land for the erection of three timber lodges for holiday let purposes on land north of Cadeby Lane, (Resubmission of 18/00805/FUL)



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1. Recommendations

1.1. Grant planning permission subject to:-

- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. The application seeks full planning permission for the erection of three (3) timber cabins for holiday letting purposes with associated access driveway from an improved field access, bin store and additional landscaping. This application is a re-submission of the previously refused application (18/00805/FUL) was refused on the following grounds:-

1. *The timber cabins, by virtue of their location outside of a defined settlement, along with the creation of an access road, would introduce urbanising features within a countryside location which would be detrimental to the intrinsic value and open character of the surrounding countryside, contrary to Policy DM4 of the Site Allocations and Development Management Policies DPD (adopted July 2016)*
 2. *The timber cabins by virtue of their design, form and materials would not respect the materials or design of adjoining buildings. The cabins would therefore have an adverse effect on the visual amenity of the surrounding area, contrary to Policy DM10 of the Site Allocations and Development Management Policies DPD (adopted July 2016)*
- 2.2. The subsequent Appeal was dismissed on 16 May 2019. The Inspector found that the proposal would be in breach of Policy DM4 of the SADMP which requires, amongst other things, that development does not have a significant adverse effect on the intrinsic value, beauty and open character of the countryside.
3. **Description of the Site and Surrounding Area**
- 3.1 The application site is located within the countryside outside of any settlement boundary adjacent to the Market Bosworth Conservation Area and is therefore within the setting of this designated heritage asset. The character of the eastern section of the conservation area, this being adjacent to the application site, is one of parkland associated with Bosworth Hall. Such historic character is considered to make a positive contribution to the significance of the conservation area.
- 3.2 To the west of the site, on land also within the ownership of the applicant are stables, a barn and ménage. To the east is a dwelling house which is associated with the adjacent 'visitor site which includes holiday lodges and a caravan park.
4. **Relevant Planning History**
- | | | | |
|--------------|--|-----------|------------|
| 19/00005/PP | Development of the land for the erection of three log cabins for holiday let purposes | Dismissed | 16.05.2019 |
| 18/00805/FUL | Development of the land for the erection of three log cabins for holiday let purposes. | Refused | 23.11.2018 |
5. **Publicity**
- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. There have been 17 third party representations from 10 different addresses with the following matters raised:-
- 1) The lodges will destroy the ambience and character of the area
 - 2) Discharge of storm water to sewage pipes will cause an environmental disaster
 - 3) Nuisance to nearby neighbour
 - 4) No respect for the historical character of the area
 - 5) No requirement for additional holiday accommodation in the area
 - 6) Threat of further development if this is allowed
 - 7) Noise and litter will increase

- 8) Will result in more traffic on this dangerous road/junction
- 9) There will be unsociable behaviour associated with the lodges
- 10) Will commercialise this area for tourism

6. Consultation

6.1. The following consultees have no objection to the scheme:-

LCC Highways Authority

LCC Archaeology

LCC Ecology

HBBC Conservation

HBBC Environmental Services (Drainage)

HBBC Environmental Services (Pollution)

Severn Trent Water advise that the use of soakaways for surface water should be the primary method. The applicant would be required to make an application for the connections for the use of public sewers

LLFA: seek a FRA (NB the site is under 1ha in size and a FRA is not required)

No comments have been received from:-

Cadeby PC

Western Power

Market Bosworth Neighbourhood Forum

6.2. The following consultee objects to the scheme:-

Market Bosworth Parish Council object to the scheme for the following reasons:-

The proposal would have a negative impact on the character and environment of both Cadeby and Market Bosworth, to develop this site would conflict with the Market Bosworth Neighbourhood Plan Character and Environmental Policies

The application could set further precedent for development within the whole site which would have a significantly detrimental impact on both the amenity values of the country park and the approach to Market Bosworth

The proposed new development would create a ribbon development in open countryside despite being situated alongside an established 'visitor site' with caravan and bed and breakfast accommodation

The site is outside the settlement boundary. The Lodges should not be for permanent habitation and the Parish Council questions the need for these tourist facilities given the ample facilities already in existence

The lodge design does not enhance or fit with others in the vicinity nor does it complement or enhance the surrounding area

The development would be contrary to Local Plan Policy DM11 when considering significant historical finds have been found nearby

7. Policy

7.1. Market Bosworth Neighbourhood Plan 2014-2026

- The site falls outside of the Neighbourhood Plan Area but is adjacent to Area G (Country Park). The policies of the MBNP are therefore not applicable.

7.2. Core Strategy (2009)

- Policy 7: Key Rural Centres Stand Alone
- Policy 23: Tourism Development

- 7.3. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Geological interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM8: Safeguarding Open Space, Sport and Recreational Facilities
 - Policy DM9: Safeguarding Natural and Semi-Natural Open Spaces
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM13: Preserving the Borough's Archaeology
 - Policy DM18: Vehicle Parking Standards
 - Policy DM24: Cultural and Tourism Facilities
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2019)
 - Planning Practice Guidance (PPG)
- 8. Appraisal**
- 8.1. Key Issues
- Assessment against strategic planning policies
 - Design and impact upon the character of the area including Heritage Assets
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Drainage
 - Impact on Ecology
 - Impact on Archaeology
- Assessment against strategic planning policies
- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that the NPPF is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009), and the Site Allocations and Development Management Policies Development Plan Document DPD 2016 (SADMP).
- 8.3. Policy DM1 of the SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay unless material consideration indicate otherwise.
- 8.4. Policy DM4 of the SADMP seeks to safeguard the countryside from unsustainable development and identifies that development in the countryside will be considered sustainable where proposed development is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; subject to it meeting further detailed criteria.
- 8.5. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

- 8.6. Policy 11 of the Core Strategy seeks to support the development of the tourism industry within Key Rural Centres Stand Alone, for which Market Bosworth (the nearest settlement) is considered to be.
- 8.7. Policy 23 of the Core Strategy encourages tourism development, including accommodation where it meets the following criteria:
- The development can help to support existing local community services and facilities;
 - Is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping; and
 - The development adds to Hinckley & Bosworth's local distinctiveness;
 - Complements the tourism themes of the borough; and
 - The development adds to the economic wellbeing of the area.
- 8.8. The NPPF at Section 6 supports economic growth. At paragraph 83 (c), it states that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. At paragraph 84, it states that planning policies and decisions should recognise that such sites may be found adjacent to or beyond existing settlements and in locations which may not be well served by public transport. In such circumstances, it is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example improving the scope for access on foot, by cycling or by public transport).
- 8.9. Policy DM4 of the SADMP seeks to resist unsustainable development within countryside locations and seeks to ensure proposals reflect the surrounding character of the countryside, and protect its intrinsic value, beauty and open character. Development for recreation purposes is considered sustainable where it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries subject to a further range of restrictive criteria. Although the application site is situated outside any defined settlement boundaries, it is located within an established tourism area within walking distance from Market Bosworth and the Country Park with Bosworth Battlefield and Twycross Zoo a short driving distance away. The site is well connected to Market Bosworth and within a range of existing tourist accommodation and therefore accords with Policy DM4 of the SADMP and both Core Strategy Policies 11 and 23.
- 8.10. Although the site is not well served by public transport, in accordance with paragraphs 83 (c) and 84 of the NPPF, there are opportunities for cycling within the area and due to the short distance of tourist features it is considered reasonable to assume that cycling maybe used as a form of transport to these locations. Although it is accepted that users of the proposal would likely use their vehicles at some point when investigating the area, due to the positioning of the site within the borough close to key tourism facilities it is considered that the site is located within a suitable location to support the tourist facilities within the borough in line with CS Policies 11 and 23. Therefore the provision of tourist/holiday accommodation is supported in principle.

Design and impact upon the character of the area including Heritage Assets

- 8.11. The site lies outside of any defined settlement boundaries and therefore within an area designated as countryside. It is not within a designated Conservation Area,

however it is close to the northern boundary of the Market Bosworth Country Park (which lies to the south of the site separated by Cadeby Lane) which has historical significance.

- 8.12. Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment with Paragraph 170 stating the planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 193 states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. Policy DM4 of the SADMP seeks to resist unsustainable development within countryside locations and seeks to ensure proposals reflect the surrounding character of the countryside, and protect its intrinsic value, beauty and open character. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Policies DM11 and DM12 seek to protect and enhance the historic environment and heritage assets. If the impact of any proposal causes harm to a heritage asset it must be weighed against the public benefits of the proposal.
- 8.13. On dismissing the appeal on the previous application, the Inspector surmised at P11 of his Report that: *'The cabins are of a scale and form that is out of keeping with the rural surroundings. The design of the cabins has no visual relationship with the stables next door or the Lodge which is visible on the east boundary. Their position on the northern boundary make them particularly prominent in a rural setting. Whilst the appellant has provided a street scene view, it shows a level of screening that could be achieved after five years of growth. Whilst there is some screening now, the position of the cabins, the increased access width of the service road together with its position along the full length of two boundaries does mean the appeal proposal is incongruous in a rural setting'*.
- 8.14. The timber cabins have been re-designed and now have the appearance of a stable complex –similar in height, scale and form to the barns and stables to the north-west of the site. The complex would be situated closer to the north-west boundary of the site and have been re-arranged into a 'U' shape formation with a ridge height of 3.8 metres and 2.4 metres to eaves. Private sitting out areas for each cabin are proposed to the east, west and north sides of the complex and further details of these areas are to be conditioned to ensure that boundary treatments and surface treatments do not add clutter or change the rural character of the site. The site is screened by a belt of mature woodland along the western boundary and a mature hedgerow on the remaining north, south and eastern boundaries. Additional planting within the site forms part of the proposal and two street scene elevations have been submitted showing both the view in year 1 of the proposed planting scheme and one projecting 5 years into the future. Although within 5 years the majority of the building would be screened from public views by the additional planting, the short term views into the site would not be incongruous to the countryside location due to the revisions in both location and design. The scheme would now be 'read' in context with the existing stables and agricultural barns rather than as a 'stand alone' development thus their re-siting and revised design provides a much improved visual relationship with the adjacent stable buildings and addresses the Inspectors concern.
- 8.15. The re-positioning of the buildings approximately 105 metres from the highway gives them a less imposing appearance from public vantage points along Cadeby

Lane. The access road into the site has now been re-configured along the western edge of the field away from the eastern boundary and the nearest neighbouring dwelling 'The Lodge'. The finishes of the road way has been changed from crushed stone to a 'grass covered' road using a cellular grassed permeable paving system such as 'grasscrete' or similar. This type of cellular system allows the grass to grow through its voids and is load bearing up to 40 tonnes gross vehicle weight thus alleviating concerns raised that a grass track would lead to vehicles 'churning up' the field and potentially getting stuck in the mud. Once laid and established, the surface would not cause visual intrusion or look 'urbanising'. Although a cattle grid was originally proposed at the access this has been amended to a gate to prevent unwarranted noise nuisance (particularly at night) as well as for additional security purposes. The eastern boundary between the site and the adjacent residential property is currently defined by a post and rail fence and hedgerow whilst and supplementary tree planting is proposed on the landscape plan to add additional screening along this internal boundary. A refuse store adjacent to the main access would allow for holiday makers to deposit their rubbish when leaving the site whilst allowing for a refuse vehicle to access the bins thus alleviating concerns that have arisen regarding litter.

- 8.16. In relation to the impact of the development on the conservation area, the development of Market Bosworth has been influenced by its location as a ridge top settlement, its agricultural economy and the strong manorial tradition based on Bosworth Hall within its parkland setting. In 1885 the ownership of the hall passed from the Dixie family to Charles Tollemarche Scott who improved the estate, replanting woodland and rebuilding lodges and farms (Market Bosworth Conservation Area Appraisal (2014) (MBCAA).
- 8.17. The historical relationships between the village of Market Bosworth, the hall and the park and the agricultural landscape are clearly apparent and define the setting of the conservation area and hugely contribute to its unique sense of place. The countryside around the settlement and its relationship to the entrance roads is a major factor in the appreciation of the character of the village and its conservation area.
- 8.18. When approaching the conservation area along Cadeby Lane from Cadeby the road is flanked by open pasture and managed parkland. As confirmed by historical mapping, the conservation area boundary which runs along the western boundary of the site marks the extent of the managed parkland associated with the hall, despite the Gate House Cottage which was erected during the late 19th century being located slightly further east and adjacent to the site. The character of the site reflects its past use as pasture and current use for grazing rather than having a parkland character, however, the current character of the site is typical of the varied agricultural landscape that borders the hall parkland so the site sits comfortably within the parkland setting. Subsequently the site in its existing form and use is considered to make a neutral contribution to the significance of the Market Bosworth Conservation Area.
- 8.19. The timber cabins would be served by a single access from the existing field gate access from Cadeby Lane with a modular grass system covered drive and a small parking area running along the western boundary. The mature band of trees along the western edge of the site provides a screening effect when the vegetation is in full leaf. Additional planting within the site, including along the access road and the eastern boundary will further increase the screening effect. There will however, be views of the cabins from the access point on Cadeby Lane and from the wider area at the times of the year when the vegetation is not in full leaf. Notwithstanding this, due to the careful siting of the cabins, their associated relationship laid out in a U-

shaped form, their modest scale, their timber cladding construction, and the grass covered road would significantly reduce any urbanising effect, it is considered that the proposal would reflect the predominantly rural nature of the site and its setting, this includes the stable buildings located directly to the north of the application site which have a similar appearance to the proposed cabins.

- 8.20. For the above reasons it is considered that the proposal would have a neutral impact on the setting of the Market Bosworth Conservation Area and consequently preserve its significance. It is also considered that the revisions to the scheme have overcome the original reasons for refusal and the Inspectors concerns regarding urbanisation and the impact of the development within the countryside location.
- 8.21. Information on the materials are suggested in the design and access statement and on the submitted plans. However details and/or samples of the materials to be used on all external elevations (including the timber material and treatments for the facing walls and roof) of the cabins, the boundary treatments and surface areas for the sitting out area and the materials to bind the grass covered road should be confirmed by a condition to ensure the special character and appearance of the adjacent Market Bosworth Conservation Area is preserved.
- 8.22. In conclusion, and in regard to the impact on the character and appearance of the area, the proposal complies with Policies DM4, DM10, DM11 and DM12 the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.23. Policy DM10 of the SADMP requires that development should not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.24. The nearest residential dwelling is The Lodge, situated to the east of the application site. Although The Lodge itself is a residential dwelling, it forms part of The Gatehouse Lodges and Bosworth Caravan Park, a tourist accommodation complex comprising self catering holiday accommodations and serviced caravan/motorhome pitches.
- 8.25. The Lodge has windows facing west at both ground floor level and from dormer windows. The dwelling is approximately 30 metres away from the shared side boundary and approximately 36 metres from the proposed access gates. The proposed service road then veers to the west with the car parking area approximately 125 metres away from the neighbouring dwelling. The cabins themselves are in excess of 110m to the north-west. Lighting at the site entrance and parking areas would comprise low level bollard lighting activated via PIR movement sensors.
- 8.26. Potential nuisance to this neighbour has been appraised. The relocation of the service road and its proposed finishes would alleviate potential noise nuisance from vehicles accessing the site. A proposed cattle grid has been removed from the scheme as this was also considered to cause potential noise nuisance particularly for this neighbour. Lighting to the site is considered appropriate as it is restricted to low level bollard lighting to the entrance, parking area and footpath linking the parking area to the accommodation. The sitting out areas adjacent to the cabins would be in excess of 130 metres from 'The Lodge'. As 'The Lodge' forms part of an adjacent holiday complex then any additional noise from guests - even when all 3 cabins would be occupied - would not be significant when considering the similar neighbouring uses.

- 8.27. Overall, it is not considered that the proposed development would result in any adverse impacts of neighbouring residential amenity in regard to excessive noise, light pollution, overlooking or loss of privacy and would therefore comply with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.28. Policies DM17 and DM18 of the SADMP require adequate access and off-street vehicle parking facilities to be provided to serve developments.
- 8.29. Cadeby Lane is a classified 'C' road with a speed limit of 60mph and a weight restriction of 7.5 tons and is used by vehicular traffic. Accompanying the application is a Road Safety Audit (RSA) which identified no road safety issues.
- 8.30. Leicestershire County Council as Highways Authority consider that the revisions to the scheme do not result in a material change to any highway impact and, subject to conditions, the proposal is acceptable in highways terms and the proposal is acceptable under Policies DM17 and DM18 of the SADMP.

Drainage

- 8.31. Policy DM7 of the SADMP requires adverse impacts from flooding to be prevented and that development should not create or exacerbate flooding and be located away from area of flood risk unless adequately mitigated. The applicant has indicated that foul and surface water will be directed to the private mains sewer which runs from Bosworth Road along the northern boundary of the site in to Gatehouse Lodges.
- 8.32. The site is located within Flood Zone 1 with a low risk of fluvial flooding and generally at low risk of surface water flooding. Despite a response from the LLFA requesting a Flood Risk Assessment (FRA) the site is less than 1ha and FRA is not required. However despite this, a planning condition requiring the submission of surface water drainage details, incorporating sustainable drainage principles can be imposed upon the decision to ensure compliance with Policy DM7 of the adopted SADMP.

Impact upon Ecology

- 8.33. Policy DM6 of the SADMP states that major developments must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On-site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.34. Although the application is not for a major development, it has been accompanied by an Ecology Report. This states that currently the site supports no habitats or vegetation of significant biodiversity interest with the species-poor semi-improved grassland supporting only common and widespread species. There is no evidence of protected species found on site. It is intended that most of the existing hedgerows and trees would be retained and added to with indigenous or berry bearing trees and shrub species which have a far higher value for local wildlife and would enhance and improve habitats by enhancing the biodiversity of the site.
- 8.35. Low level lighting is proposed at the site entrance, the parking area and the footpath linking the parking area to the accommodation. The lighting would not be directed at hedgerows or trees to minimise impact on foraging bats. All lighting sources are to be fitted with directional accessories (ie hoods, cowls, shield) to minimise any potential light spillage.

- 8.36. The County Ecologist welcomes any opportunities to enhance the site with the proposals indicated on both the landscaping plan and within the accompanying Ecology Report, including the addition of Species Rich meadow grass and wildflower meadow areas within the central (undeveloped) areas of the site. Recommendations have been made within the submitted Ecology report to minimise the impact on local biodiversity and the County ecologist considers these to be acceptable. The proposal would not have an adverse impact on the existing biodiversity and improved landscaping would be beneficial to both the immediate site and local wildlife in general thus in accordance with Policy DM6 of the SADMP.

Impact on archaeology

- 8.37. Policy DM13 states that where a proposal has the potential to impact a site of archaeological interest, developers will be required to provide appropriate desk-based assessment and, where applicable, field evaluation detailing the significance of any affected asset. Where preservation of archaeological remains in situ is not feasible and /or justified the local planning authority will require full archaeological investigation and recording by an approved archaeological organisation before development commences.
- 8.38. Leicestershire County Council (Archaeology) do not believe that the proposal would result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets and advise that the application warrants no further archaeological action in accordance with Section 16 of the NPPF. However, in regard to the Historical interest within the area, it is considered prudent to attach a Condition requiring further investigation should any artefacts be discovered once work commences to ensure compliance with Policy DM13 of the SADMP.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.
- 9.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The NPPF and Core Strategy support the development of tourist accommodation proposals in rural areas. As a result of the revised siting, scale, built form, re-siting of the access road and revised finishes, boundary treatments including gates, additional landscaping including tree planting and lighting solutions, it is considered that the proposal would not have any adverse impact on the character or visual amenity of the site, the conservation area, neighbouring residential or visual amenity, highway safety or the surrounding character and appearance of the countryside. Consequently, officers consider that the proposal has addressed both the previous reasons for refusal and the subsequent dismissal of the appeal which followed. The proposals satisfy the Councils statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990, and are in accordance with Policy 23 of the Core Strategy and Policies DM4, DM6, DM7, DM10, DM11, DM12, DM17 and DM18 of the SADMP together with the overarching principles of the NPPF.

11. Recommendation

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

- Planning conditions outlined at the end of this report.

11.2. Conditions and Reasons

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

Reason: To comply with the requirements of Section 19 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

Location Plan - Dwg No KL-386-002

Received 19 November 2019

Site plan - Revised Scheme (access), Dwg No 18/101 04A

Site Plan - Revised Scheme (landscaping and lighting) Dwg no 18/101, 02D

Street Scene (5 years in the future), Dwg no 18/101 -1D

Street Scene (first year planting) Dwg no 18/101 01E

Proposed units (Elevations and Floor Plans), 18/101 03C

All received on 29 January 2020

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

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

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

4. No development above ground level shall commence until a scheme to dispose of both surface water drainage and foul water has been submitted to, and approved in writing by, the local planning authority.

Reason: To ensure the development does not adversely impact the water environment in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

5. Notwithstanding the submitted plans no development shall commence above ground level until comprehensive details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and the works shall be implemented in accordance with the approved details. These details shall include:-
- a) Planting plans
 - b) Written specifications
 - c) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
 - d) finished floor levels
 - e) Details of any fencing/gates to be erected
 - f) Details of boundary treatments and surface finishes for the sitting out areas;
 - g) Treatment of hard surfaced areas (including the car parking area, footpaths, access and service road)
 - h) Implementation programme
 - i) Maintenance schedule

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

6. The approved soft and hard landscaping scheme shall be carried out in accordance with the submitted and approved implementation schedule within the approved landscaping scheme, required by condition 5 of this permission. 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 at which time shall be specified in writing by the Local Planning Authority.

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

7. Before first occupation of the development hereby permitted, the vehicular access to the site shall be widened to a minimum width of 5 metres to a distance of 10 metres to the back edge of the highway as shown on Dwg no 18/101 04A received by the Local Planning Authority on 29 January 2020 and shall thereafter be permanently so maintained.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems of dangers within the highway, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

8. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4m x 215m in a Westerly direction and 2.4m x 120m in an Easterly direction have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of

general highway safety, and in accordance with the National Planning Policy Framework (2019).

9. No external lighting of the site shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from nuisance from artificial light in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. No part of the development hereby permitted shall be occupied until the access drive shall be surfaced in a hard bound porous material for a minimum distance of 10 metres from the back edge of the highway and shall be so maintained at all times.

Reason: To reduce the possibility of deleterious material behind deposited in the highway (loose stones, etc) in the interests of highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

11. No part of the development hereby permitted shall be occupied until the visibility splays of not less than 2.4 metres by 120 metres to the east (right) and by 215 metres to the west (left) shall be provided out of the access at its junction with Cadeby Lane. These shall be in accordance with the standards contained in the current County Council design guide and shall be so maintained in perpetuity. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays.

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

12. No part of the development hereby permitted shall be occupied until such time as the parking and turning facilities have been implemented in accordance with Site Plan - Revised Scheme drawing number 02D received by the Local Planning Authority on 29 January 2020. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

13. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected within 10 metres of the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2019).

14. If during development, any items of archaeological interest are found to be present at the site, no further development shall take place until a Written Scheme of Investigation is submitted to and approved in writing by the Local Planning Authority. No further works shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: To ensure that no development shall take place which may adversely affect any items of archaeological interest in situ without adequate prior investigation in accordance with Policy 13 of the Site Allocations and Development Management Policies Development Plan Document.

15. The timber cabins, hereby approved, shall be for holiday purposes only and shall not be used as the sole or main residence of the occupiers. No person shall occupy any cabin for a period exceeding four weeks within a 12 month period. Furthermore, no person shall occupy any cabin within a period of two weeks following the end of a previous period of occupation by that same person. The owners/operators of the holiday accommodation shall maintain an up-to-date register of the names and main home addresses of all the individual occupiers and shall make this information available for inspection at all reasonable times to the Local Planning Authority following prior written notification.

Reason: Having regard to Policy DM4 of the Site Allocations and Development Management Policies Development Plan Document permanent residential units would not be acceptable in this rural location.

11.3. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
3. The suitability of the ground for soakaways should be ascertained by using the test in B R E Digest No. 365 before development is commenced. The porosity test and soakaway design requires the approval of the Building Control Section. The soakaway must be constructed using concrete ring sections with a liftable cover or other approved materials to the satisfaction of the Local Authority.

**Planning Committee 3 March 2020
Report of the Planning Manager**

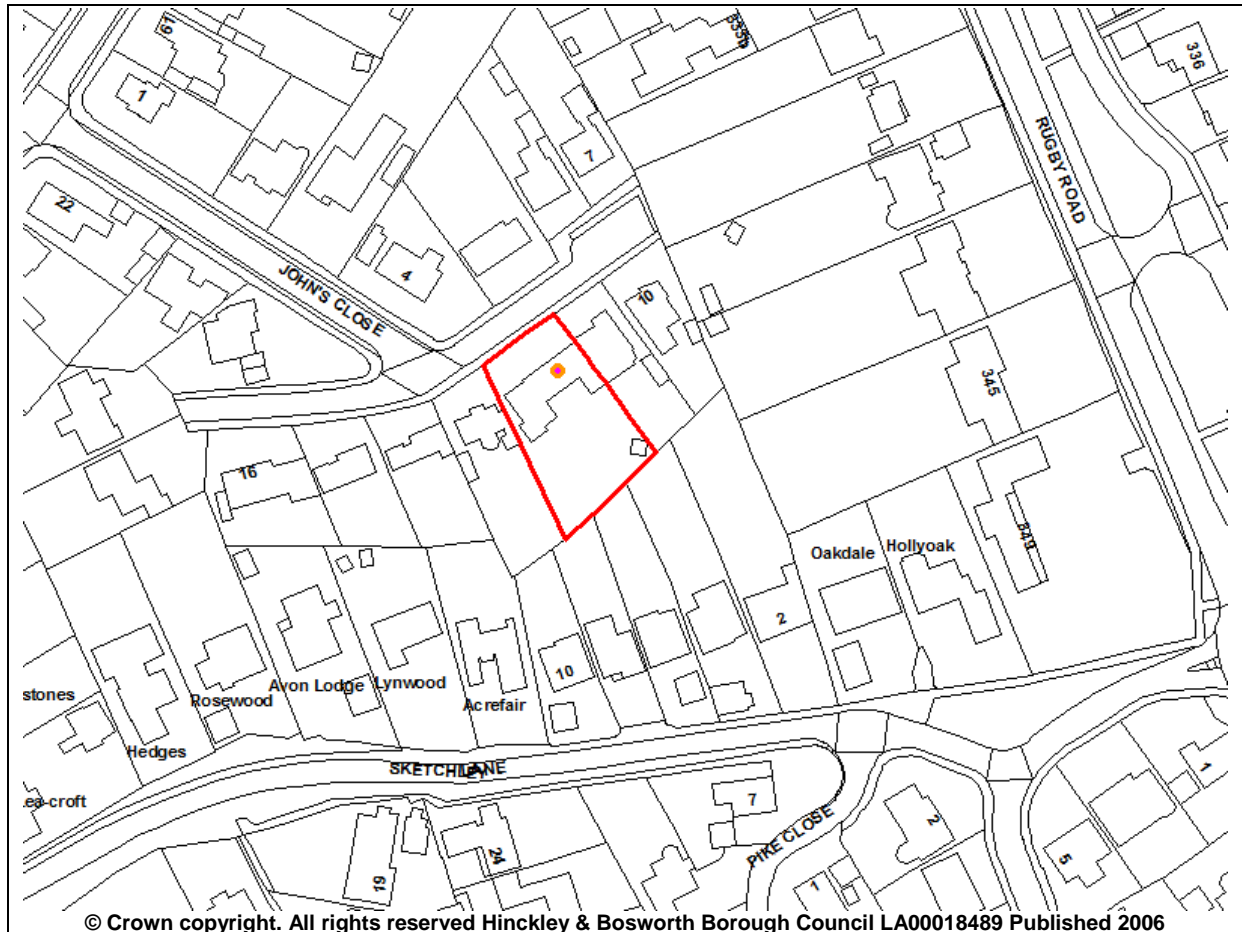
Planning Ref: 19/01359/FUL
Applicant: Mr & Mrs Hayes
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 12 Johns Close Burbage Hinckley

Proposal: Demolition of bungalow and erection of one two-storey dwelling



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

1.2. That the Planning Manager be given powers to determine the final detail of planning conditions.

2. Planning Application Description

2.1. This application seeks planning permission for the demolition of a single storey detached property, and for the erection of one two-storey dwellinghouse at no.12 Johns Close in Burbage.

2.2. The proposed two-storey dwelling would have an eaves height of approximately 4.6m, and a maximum height to the ridge of approximately 7.2m. The proposed dwelling would have a width of approximately 17.0m at the front of the property, and

at its widest point the proposed dwelling would be approximately 18.2m wide. The proposed dwellinghouse would have a staggered principal elevation, and the property would have a depth of approximately 14.5m at its deepest on the ground floor level, reducing to 7.8m depth at first floor level.

- 2.3. The proposed dwelling would primarily have a pitched roof, and an area at the rear of the property would be flat roofed with the inclusion of a roof lantern and skylights. This flat roofed element of the proposed dwellinghouse would have an eaves height of approximately 2.5m, and a maximum height to the ridge of the roof lantern of approximately 3.8m.
- 2.4. The proposed materials include grey slate roof tiles, white painted render, and brickwork to match the existing dwelling. Small amounts of slate cladding would be used on the front and rear elevations around the windows. Fenestrations would be installed with a grey aluminium finish. Solar panels would be installed on the rear and side, south and west facing elevations of the proposed two storey dwelling.

3. Description of the Site and Surrounding Area

- 3.1. The existing property at 12 Johns Close is a 1970s single storey detached dwelling. The majority of dwellings on Johns Close are single storey detached properties, several examples of two-storey dwellings are also found in the area, as well as dormer bungalows. The proposed development site is located between a single-storey and a two-storey property, numbers 11 and 13 Johns Close respectively.
- 3.2. This property is set back approximately 8.0m from the highway behind a hardstanding and gravel frontage, and benefits from a large south-facing garden to the rear. The majority of properties in the area remain unchanged from their original and varied design; however some properties in the wider area do reflect a more contemporary aesthetic.

4. Relevant Planning History

00/00864/FUL	Erection Of Rear Conservatory	Permission	04.10.2000
95/00482/FUL	Extension To Bungalow	Permission	24.07.1995

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. Representations from five separate addresses raised the following points in support of the application:-
 - 1) Lifetime home
 - 2) Increase in number of family homes
 - 3) Scale
 - 4) Design
- 5.3. Representations from seven separate addresses raised the following concerns with the scheme:-
 - 1) Design and materials
 - 2) Scale and massing
 - 3) Character of the area
 - 4) Loss of bungalow housing stock
 - 5) Overlooking
 - 6) Proposed use
 - 7) Air pollution

8) Drainage

6. Consultation

6.1. Burbage Parish Council was consulted and objects on design grounds.

6.2. No objections from the following:-

HBBC Drainage. A note to applicant was provided.

LCC Highways

HBBC Waste

HBBC Pollution

7. Policy

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM2: Delivering Renewable Energy and Low Carbon Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.2. Supplementary Planning Guidance

- The emerging HBBC Good Design Guide 2020

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2019)
- Planning Practice Guidance (PPG)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Drainage
- Other matters

Design and impact upon the character of the area

8.2. Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.3. The twin gable, equally proportioned design of the proposed two storey dwelling is considered to be well balanced, and is considered to be complementary to the appearance of the wider area. There are examples of feature gable ends projecting towards Johns Close on the original properties. The newly built bungalow at no.8 Johns Close has a twin gable design, with a central recessed entranceway somewhat similar to the design proposed here at no.12 Johns Close.

8.4. The proposed materials of brick and render making up the majority of the design for the two storey dwelling are considered to be complementary to the surrounding area. The existing bungalow is mainly finished in white render, with the garage and garage link in the original brick used on other properties within Johns Close. Both neighbouring dwellings are of brick construction and finish. Number 14 Johns Close is half render and half brick, and is of a similar proportion to the proposed scheme. The proposed use of grey roof tiles is considered to complement the appearance of the wider area, where traditional grey roof tiles are fitted on other properties in

Johns Close. The recently constructed no.8 Johns Close has Slate Grey tiles fitted to the roof, which would be similar in appearance to those proposed.

- 8.5. In terms of scale of the proposed development, at approximately 17.0m in width at the front of the property, and although considerably larger than neighbouring no.11 Johns Close. This width is similar to that of no.16 Johns Close, which is approximately 18.0m in width at one and a half storeys, roughly 6m in height. The proposed height of the two-storey dwelling would be roughly 7.2m in height, which is equivalent to the height of neighbouring no.13 and no.14 Johns Close. The hipped roof lessens the overall massing of the dwelling, as the eaves are placed at roughly 4.8m above ground level. This is considered to aid in the integration of the scheme with the hipped roof bungalows to the eastern end of Johns Close.
- 8.6. Furthermore, the separation distance between no.11 and no.12 Johns Close of 3.5m is considered to be sufficient in order to allay concerns regarding an over-dominant or visually jarring appearance that has been raised as a concern regarding the proposed scheme. The sloped roof to this eastern side of the site is considered to result in a more balanced relationship with the hipped roof of the adjacent bungalow, considering the matching and complementary roof angles found on the two properties which would radiate equally from the eaves of no.11 Johns Close.
- 8.7. The proposed two storey dwellinghouse is therefore considered to be a harmonious addition to the area by virtue of its scale, design, and materials to be used. All of which are considered to complement the character of the wider area of Johns Close. As a result, the proposed scheme is considered to be in accordance with Policy DM10 of the SADMP in regard to design and impact upon the character of the area.

Impact upon neighbouring residential amenity

- 8.8. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.9. The impact on the neighbour at no.13 Johns Close is an important consideration due to the size of the proposed replacement dwellinghouse, which would add a storey and extend beyond the existing built form on site. Due to the siting of these properties, which both benefit from large south facing rear gardens, it is considered that both immediate neighbouring dwellings would remain in full sun for most of the day. It has been clearly shown that the proposed scheme would not be in conflict with the 45 degree rule taken from the quarter point of the nearest ground floor principal window serving a habitable room, and would ensure that the rooms at the rear of no.13 Johns Close would still benefit from this open aspect. Therefore it is considered that the proposed scheme would not have a significant adverse impact on the amenity of these neighbouring occupiers.
- 8.10. Any potential impact on the neighbour at no.11 Johns Close has been minimised due to the proposed design which steps down from two storeys to a single storey flat roof on this side of the proposed dwellinghouse at the rear. Furthermore, this neighbouring property has a single storey rear extension roughly 4m in depth up to the boundary with the application site, which reduces the possible impact upon the neighbouring residential amenity of the proposed scheme. The proposed side elevation that would face the neighbouring premises includes two obscure glazed windows, which serve bathrooms. A side facing window on the master bedroom at the rear of the property would look over the single storey element of the proposed dwellinghouse, and is separated by a distance of roughly 13m to no.11 Johns Close. This would mainly look across the flat roof element of the proposed dwelling

towards the roof lantern. Therefore it is considered that this would not have a significant overlooking impact on these neighbouring occupants.

- 8.11. Neighbouring properties to the south of the application site, nos. 4, 6, and 8 Sketchley Lane are separated by large gardens and over 40.0m to the proposed site of the two storey-dwelling. The emerging Good Design Guide requires a separation distance of a minimum of 21m. The distance between the proposed two storey dwelling and those along Sketchley Lane is double the minimum requirement to ensure there would not be a significant overlooking or overshadowing impact. The proposed two-storey dwelling is not considered to cause an adverse impact on overlooking especially compared to the existing relationship between the two storey dwellings at nos. 4,6,8 Sketchley Lane and the application site. Furthermore, the windows on the rear elevation would have a sill height of approximately 1.2m above ground level, which is an acceptable height for a sill height regardless of the proposed glass gable, which would cause no further overlooking impact than a smaller window.

Impact upon highway safety

- 8.12. Policy DM17 & DM18 seek to ensure that development would provide an appropriate level of parking provision, and that there would not be a significant adverse impact upon highway safety.
- 8.13. The proposed dwellinghouse would have five bedrooms, which would require a minimum of three parking spaces to be in accordance with the Leicestershire Highways Design Guidance. It has been demonstrated that this minimum level can be provided as off street parking within the application site. An integrated garage, approximately 6m wide by 7m deep would provide secure off street parking for two vehicles at a distance of over 6.5m from the highway boundary. This can also include space for the parking of cycles and wall mounted car charging unit.
- 8.14. The application site at present benefits from an in-out driveway, which would facilitate easy access to the off street parking provided at the application site. The submitted parking plan shows the provision for seven car parking spaces, including five on the proposed hardstanding driveway. This could be used for the storage of vehicles and machinery required for the construction of the proposed two-storey dwellinghouse.
- 8.15. Consequently, the proposed demolition of the single storey dwelling, and the erection of one two-storey dwelling is considered to be in accordance with Policies DM17 & DM18 of the SADMP.

Drainage

- 8.16. Drainage was raised as a potential issue resulting from the public consultation process. The scheme has been assessed by the Hinckley and Bosworth Borough Councils drainage consultee who has not objected to the application, and has advised that a note to applicant be provided to ensure the proper drainage of the site which can be found at the end of this report.
- 8.17. Therefore adequate levels of drainage to the site would be provided in association with the proposed development, and drainage would not be significantly worsened as a result of the erection of the proposed two-storey dwelling.

Other Matters

- 8.18. The proposed two storey dwelling would include the installation of a considerable amount of solar panels on the south and west elevations. This is in line with Policy DM2 of the SADMP which supports the installation at domestic level of appropriately sited installations for the provision of renewable energy. The proposed

solar panels would not be clearly seen from the street scene, and would retain the appearance of traditional building materials within Johns Close. There have been concerns raised over the reflectance of the solar panels to properties at the rear of the application site. However, due to the black absorbent nature of solar panels, it is not considered that the proposed solar panels would cause any significant adverse impacts that would outweigh the benefits brought about by the integration of renewable energy sources into the fabric of the proposed dwellinghouse.

- 8.19. The proposed wood burner and associated flue are not considered to have any further significant adverse impact on the levels of pollution to the neighbouring property due to the chimney of no.11 also being situated close to the same boundary. Furthermore the chimney on the proposed scheme would be higher than the neighbouring chimney, taking any fumes further away from any neighbouring dwelling. Chimney stacks are a common feature in the area, and are commonly situated on the side elevations of properties in the area. At present the property has a chimney close to the centre of the property, and it is considered that the proposed dwelling would be more energy efficient than the existing dwelling, therefore would require less heating than at present.
- 8.20. Concerns regarding the end use of the proposed two storey dwellinghouse as an HMO have been addressed by altering the layout of the development to reduce the number of bedrooms with en-suite bathrooms, and the inclusion of a family bathroom. This would still retain the number of bedrooms to accommodate a large family and any guests connected with the family. A change of use from any dwellinghouse to an HMO is considered to be permitted development in accordance with Class L of Part 3 of the GDPO 2015 (as amended), and could be carried out at any home on Johns Close or elsewhere. An HMO licence would only be required if 5 or more people form more than 1 household, some or all tenants share toilet, bathroom or kitchen facilities, and at least 1 tenant would pay rent.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.
- 9.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. There is a presumption in favour of sustainable development under Policy DM1 of the SADMP and the wider policies of the NPPF, so long as proposals are in accordance with the relevant policies of the Site Allocations and Development Management Policies DPD.
- 10.2. By virtue of the appropriate scale, materials, massing and design of the proposed two storey dwelling, as well as the incorporation of renewable energy, and lack of a significant adverse effect on privacy and amenity of nearby occupants. The proposed scheme is considered to be in compliance with Policies DM2 and DM10 of the SADMP. Furthermore, it has been demonstrated that the proposed demolition of a bungalow and the erection of a two-storey dwelling, would be in accordance with Policies DM17 & DM18 of the SADMP.

11. Recommendation

- 11.1. **Grant planning permission** subject to:
- Planning conditions outlined at the end of this report.
- 11.2. That the Planning Manager be given powers to determine the final detail of planning conditions.
- 11.3. **Conditions and Reasons**
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
Site Location Plan Drg. No. 00-1918 Rev # at 1:1250 scale
Proposed Landscaping Drg. No. 01-1918-0 Rev.E at 1:200 scale
Received by the Local Planning Authority on 12 February 2020
Proposed Plan Drg No. 10-1918 Rev D at 1:100 scale
Proposed Plan and Street Scene Drg. No. 11-1918 Rev E at 1:100 scale
Received by the Local Planning Authority on 4 February 2020
Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).
 3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwellings hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.
Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).
 4. The window(s) on the ground floor east elevation, first floor south, east and west elevations, all serving bathroom facilities shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and openable at a

height a minimum of 1.7m above floor level. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The development hereby permitted shall not be occupied until such time as off street car parking provision (with turning facilities) has been provided, hard surfaced in accordance with the approved proposed Site Plans (showing parking spaces) drawing number 01-1918-0 Rev C. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD (2016) Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.

Access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).

Planning Committee 3 March 2020
Report of the Planning Manager

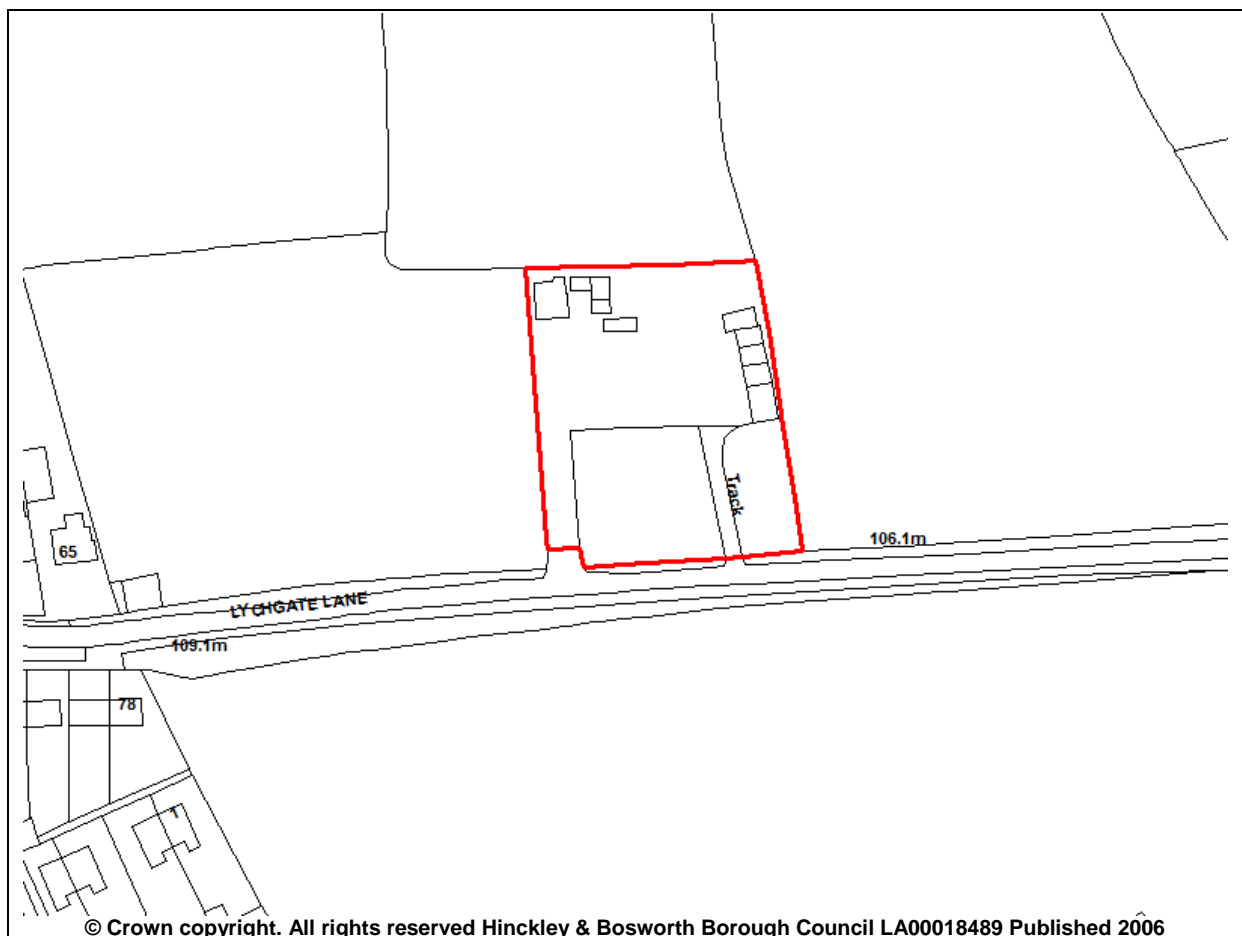
Planning Ref: 19/01327/FUL
Applicant: Mr W and C Johnson
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: Spring Acre Lychgate Lane Burbage

Proposal: Change of use of land to mixed use for stationing of caravans for residential occupation (4 pitches) with one dayroom and for the keeping of horses (part retrospective)



1. Recommendations

1.1. Grant planning permission subject to:-

- Planning conditions outlined at the end of this report.
- Any conditions that may be requested by the Highway Authority which are deemed to meet the tests laid out in the NPPF.

1.2 That the Planning Manager be given powers to determine the final details of the planning conditions.

2. Planning Application Description

2.1. This application seeks full planning permission for the change of use of land for the provision of four pitches, each with a mobile home, touring caravan space and two

vehicle parking spaces. The amended proposal would use the existing site access from Lychgate Lane with the existing gates set back 10 metres from the edge of the carriageway. A second vehicular access onto Lychgate Lane would be blocked up and permanently closed with the construction of a post and rail fence.

- 2.2. The submitted block plan proposes a site measuring 57 metres x 65 metres. An existing brick building would be converted to a day room to provide wash room and laundry facilities. Two other existing buildings on site would be retained for the storage of carts and wagons and for stabling horses. An area of grassland would be provided in the centre of the site for the grazing of any horses brought on to the site.
- 2.3. Part of the proposal is retrospective in that there are four caravans on the site which includes a static caravan. Part of the dayroom has been converted to provide wash room and laundry facilities. The paddock has been laid out and fenced. The site is hard surfaced with two existing vehicular accesses and gates. LCC's Traveller Sites and Liaison Officer has confirmed that the families living on this site are Romany Gypsy/Travellers by birth, culture and descent and satisfy the definition of a Gypsy and Traveller for the purpose of Annex 1 of the PPTS (2015).
- 2.4. A Planning Supporting Statement has been submitted with the application.

3. Description of the Site and Surrounding Area

- 3.1. The application site measures approximately 3705 square metres and includes the access track and paddock land. The site lies outside of the settlement boundary of Burbage which is some 95 metres to the west of the application site. The land is designated as countryside.
- 3.2. There is a mature hedgerow to the northern, eastern and western boundaries of the site. The hedgerow is some 5 metres in height along the western boundary. Open land surrounds the application site. However, there are clear views of the settlement of Burbage from outside the site which gives the area its semi-rural character.

4. Relevant Planning History

00/00356/HEDGE	Removal of sections of existing hedge to lay a new pumped sewer	Hedgerow Removal Granted	01.06.2000
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5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. 20 letters of objection from individual addresses have been received which raise the following issues:-
 - 1) The proposed use would impact on the safety of the adjoining highway network
 - 2) There is not a need for additional caravans in the Borough as there is an existing vacant site
 - 3) The proposal being for a residential use and an equestrian use would be too intensive for this small site
- 5.3. Two letters of support have been received providing the following comments:-
 - 1) More sites are needed as there is public outrage when the travelling community set up site on car parks etc
 - 2) The travelling community respect the local community

6. Consultation

6.1. No objection has been received from:-

HBBC Policy
HBBC Environmental Services (Pollution)
HBBC Drainage
Severn Trent Water Ltd – subject to an informative

6.2. LCC Highway Authority require additional information to be provided as there are concerns that one of the vehicular accesses has substandard visibility splays and the fence may have been constructed on highway land. Amended plans have been submitted with the application to address these concerns and these have been discussed with the Highway Engineer. The revised written comments from the Highway Authority will be reported to the planning committee as a late item.

6.3. LCC Traveller Sites & Liaison Officer has provided comments on the application.

6.4. Burbage Parish Council object to the proposal for the following reasons:-

- 1) The proposal would result in an over development of the site with static and touring caravans and horse grazing
- 2) Increase in traffic along narrow lane

7. Policy

7.1. Core Strategy (2009)

- Policy 18: Provision of Sites for Gypsies , Travellers and Travelling Show People

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. Emerging Burbage Neighbourhood Plan (BNP)

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2019)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)
- Planning Policy for Traveller Sites (2015)

7.5. Other relevant guidance

- Gypsy and Traveller Accommodation Needs Study (2016)
- DCLG Designing Gypsy and Traveller Sites: Good Practice Guide
- Hinckley and Bosworth Landscape Character Appraisal (2017)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon highway safety

Assessment against strategic planning policies

- 8.2. 'Planning Policy for Traveller Sites' (PPTS) (2015) provides the national policy for the provision of traveller sites. The development plan consists of the Core Strategy (2009) and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016). The emerging Burbage Neighbourhood Plan (BNP) is still in development. The BNP was submitted to the Borough Council for examination in December 2019 and the examination is presently ongoing. The Examiner has stated he intends to hold a hearing in early 2020. Therefore, in accordance with paragraph 48 of the NPPF only limited weight can be afforded to the BNP at this time.
- 8.3. Policy 18 of the Core Strategy relates to the provision of sites for Gypsies, Travellers and Travelling Show people. The first paragraph of the policy and supporting text identified a need of 42 pitches at the time of the publication of the Core Strategy (2009). Since then the Borough Council has produced an updated Gypsy and Traveller local needs assessment (GTAA) as required by and prepared in conformity with the PPTS for the period to 2037¹. The assessment concludes that no further pitches are needed over the period to 2037. A new Accommodation Needs Assessment is currently being prepared to inform the Local Plan review.
- 8.4. As referred to under the PPTS above, where no need is identified, locally specific criteria should be used to assess applications that may come forward on unallocated sites. Policy 18 provides the relevant criteria against which to assess proposals for traveller sites. The conformity of the scheme against each of the criteria is considered below to assess the suitability of the proposed site:

1) Proximity to Settlement/Local Services (Sustainability)

- 8.5. Policy 18 states that planning permission will be granted for gypsy and traveller sites where a proposed site is located within a 'reasonable' distance of local services and facilities (including shops, schools and healthcare) even if the site is not directly adjacent to the settlement boundary. The proposal would also have to meet the criteria laid out in this Policy.
- 8.6. The application site is not located adjacent to the settlement boundary of Burbage. However, it is located in close proximity to the boundary being sited just 95 metres to the east of the boundary. The District Centre for Burbage is within 500 metres of the site where there are numerous services and facilities available. There is a footpath opposite the site and along Lychgate Lane which leads into the centre of Burbage. A primary school is also approximately 1km from the site. These distances are considered to be 'reasonable' involving walking along footpaths which for the majority of their lengths are lit. As such the site would be a "reasonable" distance to local services and facilities as required by the policy. In addition, the site is connected to the wider area by a public highway footway network and public transport bus route (Lutterworth Road) providing safe travel to facilities by means other than the private car.

2) Highway Safety

- 8.7. Policy 18 requires a site to have safe access and provision for parking and servicing.
- 8.8. The proposal would utilise the current tarmacadam surfaced public highway access to the existing site off Lychgate Lane. Following concerns raised by the Highway Authority an amended plan has been submitted. This shows improvements to the western access including gates being set back 10 metres from the road, opening

¹ Hinckley and Bosworth Gypsy and Traveller Accommodation Assessment (November 2016)

inwards and the entrance to be tarmacked for 10 metres into the site. The amended plan also shows the blocking up of the existing eastern vehicular access with a post and rail fence following concerns raised about the lack of visibility from this access.

- 8.9. Lychgate Lane is an unclassified road with a 40mph speed limit. The requirement in Part 3 of the Leicestershire Highway Design Guide [LHDG] where measured 85%ile speeds are between 36-40mph is for visibility splays to be 2.4 x 65 metres in each direction. The application is not accompanied by a speed survey. The agent has confirmed that the existing front fence would be set back to ensure that it does not encroach onto highway land and that visibility splays of 80 metres can be achieved from this western access. A planning condition can be imposed on any consent granted to ensure that visibility splays of at least 80 metres are achieved and maintained through the cutting back of vegetation and the realignment of the existing boundary fence. A planning condition can also ensure that details of hard bound surfacing for the first 10 metres of the access track are submitted and implemented along with gates being set back 10 metres from the highway boundary.
- 8.10. The Highway Authority has confirmed that based on available records they hold; there are no recorded Personal Injury Collisions within 500 metres of the site within the last five years. Due to the scale of the proposal, the Highway Authority does not require an assessment of the site's trip generation to be undertaken and considers that there is sufficient parking and turning space with the site. The Highway Authority also confirms that the site is located within a sustainable area for services, facilities and public transport links.
- 8.11. Based on the above the amended proposal is considered to be satisfactory in highway design terms to serve four pitches and an equestrian use and to enable vehicles to pass clear of the highway in accordance with the requirements of Policy 18.

3) Sympathetic Assimilation into the Surroundings

- 8.12. Policy 18 requires a site to be capable of sympathetic assimilation into the surroundings.
- 8.13. The application site is located close to the settlement boundary of Burbage as defined in the adopted SADMP and is therefore within an area of designated countryside. The application plot comprises an area of hard standing located on a small paddock area bounded with a timber post and rail fencing to the roadside and hedging to the remaining boundaries. The site is screened from the public highway by a line of continuous mature hedgerow of approximately 5 metres in height forming the western boundary to the site. The site is also well screened from the north and east by a collection of outbuildings and by mature native hedgerows. The site has been occupied as a residential gypsy/traveller site since October 2019 in breach of planning control.
- 8.14. By virtue of the stark utilitarian nature of mobile homes and touring caravans, such structures can be seen from Lychgate Lane. An amended plan has been submitted which removes the original proposal for the construction of a dayroom alongside Lychgate Lane. The removal of this building would ensure that the development associated with this use is set back from the highway and sited behind existing screening from landscaping.
- 8.15. The scale of the proposal has been raised as a concern by residents and the Parish Council in particular the mixture of uses involved. The agent has confirmed that a mixed use of residential and equestrian is traditional for traveller sites whereby stabling is provided on site and the horses are grazed off site. The existing stables/old piggery sheds would be used to keep horses, store feed, tack, traps and

horse drawn vehicles. Horses kept on site would be either those needing stabling such as foaling or being treated by a vet or horses being used with trotting carts. The equestrian use would be for the personal use of the family and would not be a commercial use. It would be part of the lifestyle of the applicants and the use would be mainly contained within the existing buildings on site.

- 8.16. LCC's Traveller Sites & Liaison Officer has also confirmed that within the Gypsy community the families own horses/ponies and it is commonplace for sites to have stabling for foaling, veterinary inspection and treatment, and show preparation uses. The horses/ponies are often grazed elsewhere and only return to the site for the above purposes.
- 8.17. The buildings to be retained are agricultural type buildings. It is considered that the proposal to retain these buildings along with the siting of caravans would not be overly prominent in the landscape and that the proposal would be capable of sympathetic assimilation into its urban fringe surroundings.

4) Appropriate in Scale

- 8.18. Policy 18 requires a site to be appropriate to the scale of the nearest settlement, its local services and infrastructure.
- 8.19. The nearest settlement of Burbage plays an important supporting role for the Hinckley sub regional centre whilst providing local facilities for its immediate population. Therefore by virtue of the small scale of the proposal it would be appropriate in scale to the settlement.

5) Neighbours Amenities

- 8.20. Policy 18 requires that a site does not cause unacceptable nuisance to existing neighbours by virtue of noise and other disturbance caused by movement of vehicles to and from the site.
- 8.21. A residential use of the site would result in an increase in activity on the site when compared against the lawful agricultural use. However, the nearest neighbouring dwellings are located approximately 95 metres to the west and there is an intervening field between the two uses. Lychgate Lane is an unclassified through road. By virtue of the small scale of the proposal and separation distances, together with screening by existing landscaping, the proposal would not result in any significant adverse impacts on residential amenity.

6) Safe and Healthy Environment

- 8.22. Policy 18 requires that a site should provide a safe and healthy environment for residents and comply with the design guidelines detailed in the National Guidance (Designing Gypsy & Traveller Sites, Good Practice Guide). The guidance states that many gypsies and travellers express a preference for a rural location which is on the edge of or closely located to a large town or city consistent with traditional lifestyles and means of employment. It goes on to say that sites should not be situated near refuse sites, industrial processes or other hazardous places, as this will have a detrimental effect on the general health and well-being of the residents and pose particular safety risks for young children.
- 8.23. The application site is located near to the settlement boundary of Burbage on its urban fringe. The site is occupied by immediate family members and does not involve contaminated land. Satisfactory access would be provided and emergency vehicles would be able to access the site. The guide stipulates that essential services (mains water, electricity, drainage and sanitation) should be available to serve a site. Services are provided to the site including water and electricity. The proposal includes the use of a cess pit for the safe disposal of foul water.

- 8.24. The application site is located within Flood Zone 1, designated as having a low probability of flooding from rivers and sea. The principle of residential development in low flood risk areas is acceptable.
- 8.25. The National Guidance (Designing Gypsy & Traveller Sites, Good Practice Guide) suggests that sites of various sizes, layouts and pitch numbers operate successfully and work best when they take account of the size of the site and the needs and demographics of the families that are resident on them with the safety and protection of children in mind. The site has clear demarcation of its boundaries and security gates to the access with Lychgate Lane. The pitches proposed on this site are for immediate family members of the owner of the existing site and the guide makes reference to this as a positive approach in making good use of small plots of land. The proposal includes one large amenity building to be shared and each pitch would have a static type caravan containing the facilities found in an amenity building. The 7 metre separation between each mobile home is achieved within the proposed layout and adequate to meet the guidance. The proposal would require a separate site licence issued by Environmental Health (Pollution) which would secure satisfactory internal arrangements. Overall, it is considered that the site would provide a safe and healthy environment for residents.
- 8.26. Based on the above it is considered that the proposed site would comply with the requirements of Policy 18 in the Core Strategy (2009).
Planning Policy for Traveller Sites (2015)
- 8.27. This guidance came in to effect in August 2015 and should be read in conjunction with the National Planning Policy Framework (NPPF) (2019). Policy H of the guidance (in paragraph 24) states that local planning authorities should consider a number of issues amongst other relevant matters when considering planning applications for traveller sites. These issues are considered below:-
- a) the existing level of local provision and need for the site**
- 8.28. The targets for residential pitches identified in Policy 18 of the adopted Core Strategy (2009) are out of date. The Council's most up to date gypsy and traveller needs assessment (2016) found that there is a need for no additional pitches in Hinckley and Bosworth for gypsy and traveller households that meet the new definition; and a need for up to 15 additional pitches for gypsy and traveller households that may meet the new definition (although if the national average of 10% were to be applied this could be as few as 1 additional pitch). This 2016 Assessment is also out of date and therefore the current need for residential pitches is not known.
- 8.29. The Council has commissioned a new needs assessment to inform the draft Local Plan. However, the Council cannot show a 5 year supply of deliverable sites. Paragraph 27 of Planning Policy for Traveller Sites (2015) states that if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, then this should be a significant material consideration in any subsequent planning decision.
- b) the availability (or lack) of alternative accommodation for the applicant's**
- 8.30. Many of the objections received state that there are other more suitable sites in the locality. LCC's Traveller Sites & Liaison Officer has advised that the applicants' parents lived on Aston Firs, a Leicestershire County Council residential site for Gypsy and Travellers. However, this site is currently full with an extensive waiting list and there are no other local authority sites in the area available for this family.

c) other personal circumstances of the applicant

- 8.31. LCC's Traveller Sites and Liaison Officer has visited the family on site. The application is for a small family site that would provide health and welfare benefits of having a stable place to live. There are children living on the site who attend the local schools and have a good attendance record. The needs of the children are given significant weight in the assessment of the application and this site would provide a stable and secure home for the children on the site.

d) that the locally specified criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that come forward on unallocated sites

- 8.32. The locally specific criteria contained within Policy 18 of the adopted Core Strategy have been considered earlier in this report (paragraphs 8.5 – 8.24). The assessment concludes that the proposal would comply with the requirements of Policy 18 in the Core Strategy (2009).

e) that they should determine applications for sites from any travellers and not just those with local connections

- 8.33. The application has been submitted as a site for gypsy and travellers and the assessment made in paragraphs 8.5 – 8.24 is not restricted to any local connections of the family on site.

- 8.34. In addition to the above paragraph 26 of Planning Policy for Traveller Sites (2015) requires local planning authorities to attach weight to the following matters:-

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing the site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

- 8.35. In respect of the above points, the application site includes an area of existing hardstanding but the site does not constitute previously developed, untidy or derelict, land. The proposal includes the retention of existing soft landscaping to the perimeters of the site whilst having space available for additional soft landscaping which enhances the immediate environment. The site includes areas where children could safely play. The site has a post and rail fence to its road frontage which would not be detrimental to the open character of the area and would not result in the site appearing fortified and thereby isolating the future occupants, both visually and physically from the surroundings.

- 8.36. Paragraph 25 of Planning Policy for Traveller Sites (2015) further states that local planning authorities should very strictly limit new traveller site development in open countryside that lies away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing undue pressure on the local infrastructure. The proposed site is within close proximity to a large urban area and the proposal for four pitches would not dominate the settlement or put undue pressure on local infrastructure.

- 8.37. Therefore, based on the above assessment of the locally specific criteria contained in Policy 18 of the Core Strategy and the criteria contained in the PPTS it is considered that the proposal would comply with these requirements and as such

planning permission for this new gypsy and traveller site should be granted provided the site complies with the other policies in the Development Plan which are assessed below.

Assessment against the policies of the adopted Site Allocations and Development Management Policies (SADMP) DPD (2016)

Impact on the Countryside

- 8.38. The application site lies outside the settlement boundary of Burbage as defined in the SADMP and is therefore in the countryside. Policy DM4 of the SADMP states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. The policy goes on to list a number of categories of development that would be considered sustainable in the countryside. The provision of a gypsy and traveller site is not included in the list of categories which are considered to be sustainable.
- 8.39. However, Policy 18 in the Core Strategy does allow for planning permission to be granted on sites adjacent to the settlement boundaries of Hinckley, Burbage, Barwell and Earl Shilton and any of the Key Rural Centres/Rural Villages. Policy 18 also allows for planning permission to be granted where the site is a reasonable distance from local services and facilities even if the site is not directly adjacent to the settlement boundary provided the site meets the criteria laid out in this Policy.
- 8.40. Therefore, whilst the proposed development is not included in the list of sustainable development in the countryside as set out in Policy DM4, the principle of gypsy and traveller sites in countryside locations adjacent to or within a reasonable distance of these settlement boundaries is accepted under Policy 18 of the Core Strategy subject to the criteria of this Policy being met. Paragraphs 8.5 – 8.26 conclude that the proposal would meet the criteria laid out in Policy 18.
- 8.41. Policy DM4 of the SADMP (2016) provides the following criteria which development proposals should meet:
- a) It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and
 - b) It does not undermine the physical and perceived separation and open character between settlements; and
 - c) It does not create or exacerbate ribbon development.
- 8.42. The proposal includes the retention of the boundary hedgerows along with all the development being set back from the highway. Whilst there would be some harm to the open character of the landscape, there would not be a significant adverse impact on the character of the countryside in this location. The proposal would not undermine the separation between settlements or exacerbate ribbon development in this case. As such, the proposal would not have a significant adverse impact on the countryside.

Impact on the Character of the Area and Residential Amenity

- 8.43. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout and design with the intention of preventing development that is out of keeping with the character of the surrounding area. Policy DM10 also seeks to ensure that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings and that the amenity of the future occupiers of proposed development would not be adversely affected by activities in the vicinity of the site.

- 8.44. The site lies within Landscape Character Appraisal Area F: Burbage Common Rolling Farmland. The area surrounding the site has a mixed character with open undeveloped areas surrounding the site, a number of outbuildings of varying size and scale on the site and the built development of Burbage to the west of the site. In view of the scale of the proposal and the conversion of rural existing buildings, it is considered that 4 pitches in this location would not have a significant impact on the character of this semi-rural area.
- 8.45. By virtue of its small scale, screening by landscaping and separation distances of approximately 95 metres to the nearest neighbouring dwellings, the proposal would not result in any significant adverse impacts on the residential amenity of any neighbouring properties. As such there would be no significant conflict with Policy DM10 of the adopted SADMP.

Impact on Highway Safety

- 8.46. Policies DM17 of the SADMP states that development proposals will be supported where they demonstrate that there is not a significant adverse impact upon highway safety and the residual cumulative impacts of development on the transport network are not severe. Paragraphs 108 and 109 of the NPPF (2019) state that development should ensure safe and suitable access to the site for all users and that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed.
- 8.47. The arrangements proposed to the existing (eastern) access to the site are satisfactory to serve the small scale of development proposed. The proposal has been assessed by the Highways Authority who, subject to amendments, have raised no objections on highway safety grounds as the proposal would not have a material impact on the highway network. Adequate parking and turning would be provided within the site. The written comments of the Highway Authority will be reported to the planning committee as a late item.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. The equality implications arising from this application relate to the protected characteristics of gypsy and travellers and have been addressed within the main body of this report through reference to specifically relevant adopted planning policies and National Planning Guidance.

- 9.4. The requirements of Article 8 of the First Protocol to the Convention, as incorporated by the Human Rights Act 1998, and the Article 8 rights of a child in the context of Article 3(1) of the United Convention on the Rights of the Child have been addressed within the main body of the report. The applicant's individual rights for respect for private and family life along with the best interests of the children have been weighed against other factors including the wider public interest and legitimate interests of other individuals.
- 9.5. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The proposal relates to a gypsy and traveller site with 4 pitches and with stabling facilities. Part of the proposal is retrospective in that there are 4 caravans on the site. The most up-to-date Gypsy and Traveller Accommodation Needs Study (2016) found no need for additional sites for gypsy and traveller pitches that meet the new definition. However, as stated in the PPTS, where no need is identified, locally specific criteria should be used to assess applications that may come forward on unallocated sites. Policy 18 in the Core Strategy provides the relevant criteria against which to assess proposals for traveller sites.
- 10.2. The proposal has been assessed against the relevant criteria within Policy 18 of the Core Strategy (which are consistent with the NPPF and can therefore be given significant weight in the determination of the application), together with the national planning guidance relating to gypsy and traveller development within Planning Policy for Traveller Sites (2015) and the NPPF (2019). Policy 18 states that planning permission will be granted for new gypsy and traveller sites providing the site is located within a reasonable distance of local services and facilities even if the site is not directly adjacent to the settlement boundary. The proposed site is within a reasonable distance of the local services and facilities in Burbage. The proposal would also meet the locational, design and environmental criteria of Policy 18 of the Core Strategy and the PPTS and so the principle of a gypsy and traveller site in this countryside location is accepted.
- 10.3. The applicant's personal circumstances and the provision of a settled base for the family to maintain access to education and health facilities, proximity to family members and care for their horses, are all benefits of the proposal which add weight in favour of the proposal. There are no known alternative sites where the families could occupy and the negative impacts of refusing planning permission are that the family may be forced into a roadside existence and intermittent use of unauthorised sites which would disrupt the education of the children and the healthcare of the family.
- 10.4. The proposal would not have any significant adverse impacts on the character of the area, on residential amenity or on vehicular or pedestrian safety subject to the conditions being imposed on any consent granted. It is considered that the proposed development would be in accordance with Policy 18 in the Core Strategy, Policies DM1, DM4, DM10, DM17 and DM18 of the SADMP (2016) and guidance in the PPTS (2015). It is recommended that the proposal is approved subject to conditions.

11. Recommendation

11.1. Grant planning permission subject to:-

- Planning conditions outlined at the end of this report.
- That the Planning Manager be given powers to determine the final details of the planning conditions.

11.2. Conditions and Reasons

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

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan received by the local planning authority on 25 November 2019 and the Proposed Site Plan Rev A received by the local planning authority on 4 February 2020.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in Annex 1 Planning Policy for Travellers Sites (2015).

Reason: To ensure compliance with Policy 18 of the Core Strategy 2009.

4. There shall be no more than four pitches on the site and on each of these pitches hereby approved no more than two caravans shall be stationed at any time, of which only one caravan shall be a static caravan or mobile home.

Reason: In the interests of visual amenity and to ensure compliance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Within one month of the date of this decision notice the eastern access as shown on the Proposed Site Plan Rev A received by the local planning authority on 4 February 2020 shall be permanently closed.

Reason: To ensure safe and satisfactory access, parking and turning to serve the development in the interests of highway safety in accordance with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD (2016) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

6. Within one month of the date of this decision notice the access drive (western) to be retained shall be surfaced with hard bound porous material for the first 10 metres from the edge of the carriageway. Once so provided, the access drive shall be permanently so maintained at all times thereafter.

Reason: To ensure safe and satisfactory access, parking and turning to serve the development in the interests of highway safety in accordance with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD (2016) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

7. Within one month of the date of this decision notice full details of the proposed boundary treatments and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority. The boundary treatments and soft landscaping shall be implemented in full accordance with the approved details within two months of receipt of this written consent or the first available planting season whichever is sooner and once so provided shall be permanently so maintained at all times thereafter.

Reason: To ensure that a satisfactory boundary treatment is provided to safeguard the visual amenities of the area and the occupiers of adjoining properties in accordance with Policy 18 of the adopted Core Strategy and Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3. **Notes to Applicant**

1. Application forms to discharge conditions and further information can be found on the planning portal website www.planningportal.gov.uk.
2. Any access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. 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).
3. Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewers Regulations (2011). Public sewers have statutory protection and may not be built close to, directly over or diverted without separate consent. You are advised to contact Severn Trent Water Limited to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

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PLANNING APPEAL PROGRESS REPORT

SITUATION AS AT: 21.02.20

WR - WRITTEN REPRESENTATIONS

IH - INFORMAL HEARING

PI - PUBLIC INQUIRY

FILE REF	CASE OFFICER	APPLICATION NO	TYPE	APPELLANT	DEVELOPMENT	Appeal Valid	DATES
	CS	19/00833/OUT (PINS Ref 3246720)	WR	Mr Christie Glenn 18a Coventry Road Burbage	20 Coventry Road Burbage (Erection of one dwelling (outline - access and layout only))	Awaiting Start Date	
	CG	19/00714/FUL (PINS Ref 3246434)	WR	Keith Baxter Garden Farm Bagworth Road Narlestone	Forge Bungalow Main Street Cadeby (Demolition of existing bungalow and erection of 2 no dwellings)	Awaiting Start Date	
	EC	19/01145/HOU (PINS Ref 3245403)	WR	Mr York 14 Almond Way Earl Shilton LE9 7HZ	Thirlmere 42 Far Lash Burbage (Raising of ridge height and loft conversion to create a 1.5 storey dwelling, side extension and external alterations to the dwelling)	Appeal Valid Awaiting Start Date	24.01.20
	RH	19/01011/OUT	PI	Gladman Developments Ltd Gladman House Alexandria Way	Land South Of Cunnery Close Barlestone (Residential development for up to 176 dwellings with public open space, landscaping and sustainable drainage systems (SuDS) (Outline - access only))	Notification of intention to submit the appeal (Likely submission date of appeal 31.01.20)	17.01.20
20/00004/PP	SW	19/00934/OUT (PINS Ref 3244630)	WR	Ms J Cookes 2A Drayton Lane Fenny Drayton	2A Drayton Lane Fenny Drayton Nuneaton (Erection of one dwelling (Outline with layout to be considered))	Start Date Statement of Case Final Comments	07.02.20 13.03.20 27.03.20
20/00007/VCON	OP	19/01079/CONDIT (PINS Ref 3244583)	WR	Mr Ricky Child 89 Hinckley Road Burbage	339 Hinckley Road Burbage (Removal of condition 9 (removal of permitted development rights) of planning permission 19/00413/FUL)	Start Date Questionnaire Statement of Case Final Comments	18.02.20 25.02.20 24.03.20 07.04.20

20/00005/FTPP	GS	19/00929/HOU (PINS Ref 3243531)	WR	Mr Leigh Jones 28 Hall Lane Witherley Atherstone	28 Hall Lane Witherley Atherstone (Single storey extension to front and rear, two storey rear extension, first floor front and side extension)	Start Date Awaiting Decision	10.02.20
20/00006/FTPP	GS	19/00887/HOU (PINS Ref 3244239)	WR	Mrs Lisa Mallon 22 Flaxfield Close Groby	22 Flaxfield Close Groby (Single storey front, side and rear extension, including new fence and gates)	Start Date Awaiting Decision	17.02.20
20/00002/PP	GS	19/01049/FUL (PINS ref 3243667)	WR	Mrs Susan Birch Wrask Farm Desford Road Newbold Verdon	Land West Of Wrask Farm Desford Road (Erection of one dwelling)	Start Date Statement of Case Final Comments	21.01.20 25.02.20 10.03.20
20/00001/PP	SW	19/00996/FUL (PINS Ref 3243353)	WR	Mr & Mrs A Sanderson Garland Gables Garlands Lane Barlestone	Garland Gables Garland Lane Barlestone (Conversion of ancillary domestic storage building to a four bed dwelling and demolition of a barn)	Start Date Final Comments	13.01.20 02.03.20
19/00039/PP	GS	19/00198/OUT (PINS Ref 3239130)	WR	Mrs Zoe Finlay Spring Hill Farm Wykin Road Hinckley	Land Adjacent To 29 Elizabeth Road Hinckley (Erection of one dwelling (outline - all matters reserved))	Start Date Awaiting Decision	06.11.19
19/00040/PP	CG	19/00732/FUL (PINS Ref 3238555)	WR	Mr Singh Marble Homes Ltd 27-35 Sussex Street Leicester	112 High Street Barwell (Development of two 1 bedroom flats)	Start Date Awaiting Decision	11.11.19
	CG	19/01164/CLUE (PINS Ref 3246256)	IH	George Denny Old House Farm Sutton Lane Cadeby	The Old House Farm Sutton Lane Cadeby (Certificate of lawful use for the change of use from agricultural land to residential curtilage)	Appeal Valid Awaiting Start Date	05.02.20
	CG	19/00391/CLUE (PINS Ref 3238743)	IH	George Denny Old House Farm Sutton Lane Cadeby	The Old House Farm Sutton Lane Cadeby (Certificate of lawful use for the change of use from agricultural land to residential curtilage)	Appeal Valid Awaiting Start Date	29.10.19

	CG	18/01255/CLUE (PINS Ref 3238520)	IH	George Denny Old House Farm Sutton Lane Cadeby	The Old House Farm Sutton Lane Cadeby (Certificate of lawful use for the change of use from agricultural land to residential curtilage)	Appeal Valid Awaiting Start Date	29.10.19
20/00003/NONDET	RW	19/00253/CONDIT (PINS Ref 3236523)	WR	Mr Gerry Loughran Poundstretcher Limited c/o Landmark Planning Ltd	Crown Crest PLC Desford Lane Kirby Muxloe Leicester (Variation of Condition 11 of planning permission 10/00332/FUL and planning permission 12/00313/CONDIT to extend the permitted days and hours during which deliveries can be taken at, or dispatched from, the site to: Mondays to Fridays (including Bank Holidays) 06.00 to 23.00; Saturdays 08.00 to 18.00 and Sundays 09.00 to 13.00.)	Start Date Statement of Case Final Comments	03.02.20 09.03.20 23.03.20
19/00038/RPAGDO	RH	19/00538/CQGDO (PINS Ref 3236060)	WR	Mr Rob Jones Winfrey Farm Dadlington Lane Stapleton	Winfrey Farm Dadlington Lane Stapleton (Prior notification for change of use of agricultural buildings to 5 dwellinghouses (Class C3) and for associated operational development)	Start Date Awaiting Decision	05.11.19
19/00031/PP	SW	19/00093/FUL (PINS Ref 3235944)	WR	Mr David Jackson SW Jackson Manor Farm 2 Carlton Road Barton in the Beans	Manor Farm 2 Carlton Road Barton In The Beans (Demolition of existing agricultural buildings and erection of 8 dwellings with associated landscaping)	Start Date Awaiting Decision	13.09.19
19/00022/NONDET	RW	19/00213/CONDIT (PINS Ref 3229530)	WR	Centre Estates Limited 99 Hinckley Road Leicester	Land Off Paddock Way Hinckley (Application Reference Number: 17/00115/FUL (Appeal Reference: APP/K2420/W/17/3189810) Date of Decision: 13/09/2018 Condition Number(s): 2)	Start Date Awaiting Decision	21.06.19

19/00043/ENF	WH	18/00268/UNUSES (PINS Ref 3222721)	WR	Mr Andrew Charles Swanbourne Dawsons Lane Barwell	Land East Of The Enterprise Centre Dawsons Lane Barwell (Siting of 2 storage containers ancillary to the existing equestrian use)	Start Date Awaiting Decision	29.11.19
19/00042/PP	WH	18/01051/FUL (PINS Ref 3222720)	WR	Mr Andrew Charles Swanbourne Dawsons Lane Barwell	Land East Of The Enterprise Centre Dawsons Lane Barwell (Siting of 2 storage containers ancillary to the existing equestrian use)	Start Date Awaiting Decision	29.11.19

Decisions Received

	OP	19/01219/OUT (PINS Ref 3245874)	WR	Mr Steve Walters 2 Preston Drive Newbold Verdon	2 Preston Drive Newbold Verdon (Residential development for one dwelling (Outline- all matters reserved))	WITHDRAWN	07.02.20
19/00032/PP	CG	16/00758/FUL (PINS Ref 3234826)	WR	Mr Atul Lakhani Farland Trading Ltd 36 Thurnview Road Leicester	Land Adjacent 121 Station Road Bagworth (Erection of 10 no. dwellings and 2 no. flats (100% Affordable Scheme))	ALLOWED	07.02.20
19/00037/ENF	TW	18/00300/UNHOUS (PINS Ref 3234608)	WR	Mr Stuart Mallinson 34 Wendover Drive Hinckley	34 Wendover Drive Hinckley (Erection of a fence adjacent to a highway)	DISMISSED	17.02.20
19/00045/PP	CG	19/00957/FUL (PINS Ref 3241551)	WR	Mr F Williams 44 Mansion Street Hinckley	44 Mansion Street Hinckley (Reduction of garage with first floor extension with alterations to existing including outdoor sitting area)	DISMISSED	20.02.20
19/00044/PP	CG	19/00486/FUL (PINS Ref 3241548)	WR	Mr F Williams 44 Mansion Street Hinckley	44 Mansion Street Hinckley (Two storey and first floor extensions to existing garage/store)	DISMISSED	20.02.20

Designation Period 1 April 2018 - 31 March 2020

Appeal Decisions - 1 April 2018 - 31 January 2020 (Rolling)

Major Applications

No of Appeal Decisions	Allowed	Dismissed	Split	Withdrawn	Officer Decision			Councillor Decision			Non Determination		
					Allow	Spt	Dis	Allow	Spt	Dis	Allow	Spt	Dis
10	6	4	0	0	2	0	4	3	0	0	1	0	0

December - Total No of all Major decisions made 73/Total No of appeals allowed 4 = 5.4%

January - Total No of all Major decisions made 77/Total No of appeals allowed 4 = 5.1%

Minor/Other Applications

No of Appeal Decisions	Allowed	Dismissed	Split	Withdrawn	Officer Decision			Councillor Decision			Non Determination		
					Allow	Spt	Dis	Allow	Spt	Dis	Allow	Spt	Dis
64	16	47	1	0	15	1	42	1	0	4	0	0	1

December - Total No of all Minor/Other decisions made 1377/Total No of appeals allowed 11 = 0.79%

January - Total No of all Minor/Other decisions made 1450/Total No of appeals allowed 12 = 0.82%

Enforcement Appeal Decisions

No of Appeal Decisions	Allowed	Dismissed	Split	Withdrawn
4	0	4	0	0

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