

# Public Document Pack



Hinckley & Bosworth  
Borough Council

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

**Date: 19 August 2022**

**To: Members of the Planning Committee**

Cllr MJ Crooks (Chairman)	Cllr A Furlong
Cllr E Hollick (Vice-Chairman)	Cllr SM Gibbens
Cllr CM Allen	Cllr L Hodgkins
Cllr RG Allen	Cllr KWP Lynch
Cllr CW Boothby	Cllr LJ Mullaney
Cllr SL Bray	Cllr RB Roberts
Cllr DS Cope	Cllr H Smith
Cllr WJ Crooks	Cllr BR Walker
Cllr 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, Hinckley Hub on **TUESDAY, 30 AUGUST 2022 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

## Fire Evacuation Procedures

- On hearing the fire alarm, leave the building **at once** quickly and calmly by the nearest escape route (indicated by green signs).
- *There are two escape routes from the Council Chamber – at the side and rear. Leave via the door closest to you.*
- Proceed to **Willowbank Road car park**, accessed from Rugby Road then Willowbank Road.
- **Do not** use the lifts.
- **Do not** stop to collect belongings.

## Recording of meetings

At HBBC we are open and transparent about how we make decisions. We allow recording, filming and photography at all public meetings including Council, the Executive and Planning Committee as long as doing so does not disturb or disrupt the proceedings. There may occasionally be some reports that are discussed in private session where legislation requires this to happen, but this is infrequent.

We also allow the use of social media during meetings, which helps to bring the issues discussed to a wider audience.

Members of the public, members of the press and councillors are hereby informed that, in attending the meeting, you may be captured on film. If you have a particular problem with this, please contact us so we can discuss how we may accommodate you at the meeting.

## Use of mobile phones

To minimise disturbance to others attending the meeting, please switch off your phone or other mobile device or turn it onto silent or vibrate mode.

Thank you

## PLANNING COMMITTEE - 30 AUGUST 2022

### A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**

2. **MINUTES (Pages 1 - 4)**

To confirm the minutes of the meeting held on 2 August 2022.

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. **21/01413/REM - LAND EAST OF ROSEWAY, STOKE GOLDING (Pages 5 - 16)**

Reserved matters application for the residential development of 65 dwellings with associated open space and children's play area. This reserved matters application is for the consideration of appearance, landscaping, layout and scale following the approval of outline permission 20/00779/OUT for the erection of up to 65 dwellings including public open space, landscaping and associated infrastructure (Outline – access only).

8. **21/01377/FUL - GREYHOUND INN, MAIN STREET, BOTCHESTON (Pages 17 - 34)**

Application for demolition of outbuilding, external staircase and single storey rear projection to Public House. Erection of two storey rear extension, conversion of part of Public House to form two residential dwellings. Reconfigured Public House with guest accommodation on first floor. Erection of two residential dwellings with associated access points to west of the Public House.

9. **22/00132/FUL - 14 JOHNS CLOSE, BURBAGE (Pages 35 - 42)**

Application for planning permission for the demolition of a two storey detached property, and for the erection of one two-storey dwelling house with additional accommodation within the roof space at no.14 John's Close in Burbage

10. **APPEALS PROGRESS (Pages 43 - 48)**

To report on progress relating to various appeals.

This page is intentionally left blank

## HINCKLEY AND BOSWORTH BOROUGH COUNCIL

### PLANNING COMMITTEE

2 AUGUST 2022 AT 6.30 PM

PRESENT: Cllr MJ Crooks - Chairman  
Cllr E Hollick – Vice-Chairman  
Cllr CM Allen, Cllr RG Allen, Cllr CW Boothby, Cllr SL Bray, Cllr DS Cope,  
Cllr WJ Crooks, Cllr REH Flemming, Cllr A Furlong, Cllr SM Gibbens,  
Cllr L Hodgkins, Cllr KWP Lynch, Cllr LJ Mullaney, Cllr RB Roberts,  
Cllr MC Sheppard-Bools (for Cllr BR Walker) and Cllr H Smith

Officers in attendance: Chris Brown, Tim Hartley, Rebecca Owen and Michael Rice

#### 97. **Apologies and substitutions**

Apologies for absence were received from Councillor Walker, with the substitution of Councillor Sheppard-Bools authorised in accordance with council procedure rule 10.

#### 98. **Minutes**

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

RESOLVED – the minutes of the meeting held on 5 July be approved and signed by the chairman.

#### 99. **Declarations of interest**

Councillor W Crooks stated he had attended public meetings where application 21/01395/FUL had been discussed and had answered questions but had not expressed an opinion.

Councillors Flemming and Lynch stated they had sat on Burbage Parish Council's Planning Committee when applications 21/00502/OUT and 22/00132/FUL had been considered but did not take part in the voting thereon.

Councillor Furlong stated he had received representations and been involved with discussions with residents on application 22/00284/HOU but came to the meeting with an open mind.

#### 100. **Decisions delegated at previous meeting**

It was noted that decisions in relation to applications 22/00078/FUL and 22/00369/HOU had been issued.

**101. 21/00502/OUT - land to the south west of Lutterworth Road, Burbage**

Outline planning application for the erection of up to 80 residential dwellings (use class C3), open space provision and associated infrastructure, with all matters reserved except access.

An objector and the agent spoke on the application.

Notwithstanding the officer's recommendation that permission be granted, some members felt that the development would have a significant adverse impact on the intrinsic value, beauty and open character of the countryside contrary to policy DM4 of the Site Allocations and Development Management Policies DPD and that it would have a significant impact on highway safety, generating a significant increase in traffic movements on an already busy road, particularly the junction of Lutterworth Road and Flanders Close and through Flanders Close to the site, and was therefore contrary to policy DM17. It was moved by Councillor Flemming and seconded by Councillor Lynch that permission be refused for these reasons. Upon being put to the vote, the motion was unanimously CARRIED and it was

RESOLVED – permission be refused for the following reasons:

- (i) The development would have a significant adverse impact on the intrinsic value, beauty and open character of the countryside contrary to policy DM4 of the Site Allocations and Development Management Policies DPD;
- (ii) The development would have a significant impact on highway safety, generating a significant increase in traffic movements on an already busy road, particularly the junction of Lutterworth Road and Flanders Close and through Flanders Close, contrary to policy DM17 of the Site Allocations and Development Management Policies DPD.

**102. 21/01395/FUL - Church Farm, Washpit Lane, Barlestone**

Application for installation and operation of a renewable energy generating station comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, point of connection mast, switchgear container, inverter/transformer units, site access, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements.

An objector, the applicant and a representative of Nailstone Parish Council spoke on this application.

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

RESOLVED –

- (i) Permission be granted subject to 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 requested to review landscape screening proposed prior to issuing the decision.

103. **22/00335/HOU - 19 Fern Crescent, Groby**

Application for two storey rear and first floor side and rear extension and other alterations.

The agent spoke on the application.

It was moved by Councillor Bray, seconded by Councillor R Allen and unanimously

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.

104. **22/00284/HOU - 14 The Hawthorns, Markfield**

Application for first floor and single storey side, front and rear extensions and other alterations.

Two objectors and the agent spoke on the application.

Notwithstanding the officer's recommendation that permission be granted, some members felt that the proposal would have a detrimental impact on neighbouring amenity due to the scale, massing, elevated siting, proximity to the boundary with number 10 and its overbearing nature and would therefore be contrary to policy DM10 of the Site Allocations and Development Management Policies DPD. It was moved by Councillor Furlong and seconded by Councillor Bray that permission be refused for these reasons. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – permission be refused due to the significant detrimental impact on neighbouring amenity as a result of the scale, massing, elevated siting, proximity to the boundary and the overbearing nature of the proposed development thereby being contrary to policy DM10 of the Site Allocations and Development Management Policies DPD.

105. **22/00132/FUL - 14 Johns Close, Burbage**

Application for demolition of existing property and replacement with new 2.5 storey dwelling whilst retaining ridge height and new front boundary wall, with associated internal garage.

An objector and the agent spoke on this application.

Notwithstanding the officer's recommendation that permission be granted, Councillor Flemming, seconded by Councillor Bray, proposed that permission be refused due to the impact on neighbours, being out of keeping with the streetscene and not complementing the surrounding area.

Councillor Lynch, seconded by Councillor Sheppard-Bools, proposed that the application be deferred to allow for further discussion with the applicant to mitigate objections in relation to the impact on neighbours. Councillor Flemming and Councillor Bray subsequently withdrew their original motion in order to support the motion to defer the application.

Upon being put to the vote, the motion to defer the application was CARRIED and it was

RESOLVED – the application be deferred for further discussion with the applicant.

106. **Appeals progress**

Members received an update on appeals. The report was noted.

(The Meeting closed at 8.41 pm)

---

CHAIRMAN



Planning Committee 30 August 2022  
Report of the Planning Manager

Planning Ref: 21/01413/REM

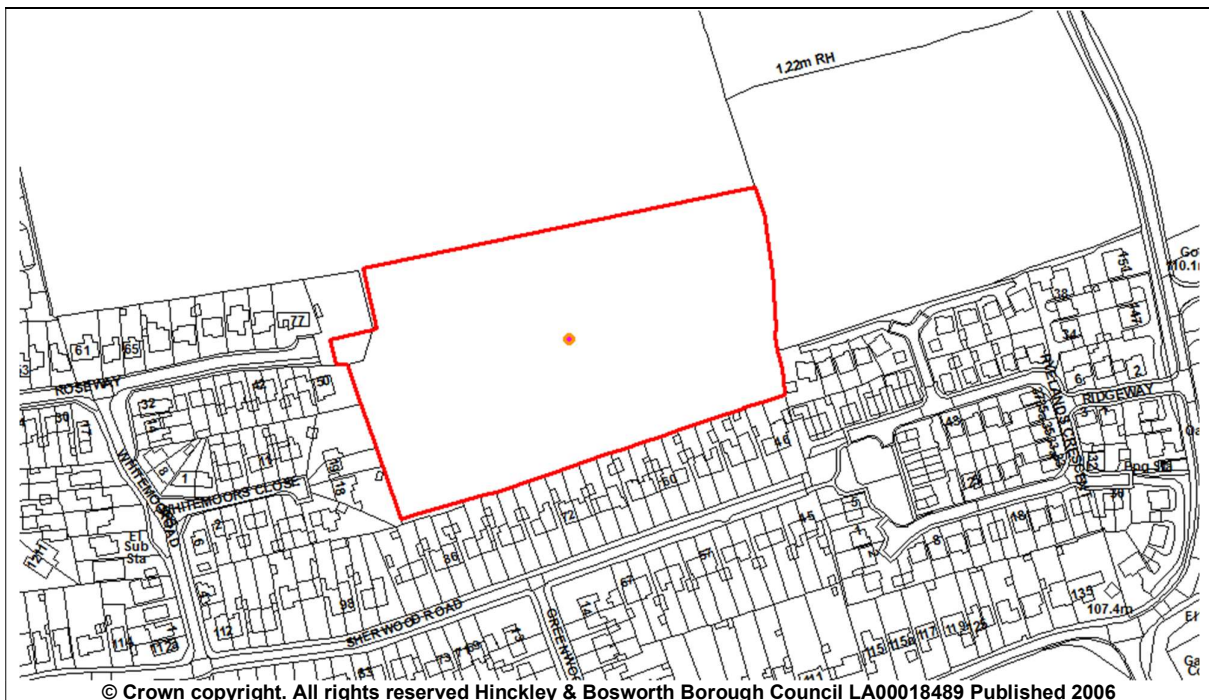
Applicant: Glenalmond Developments Ltd, Richard Furniss,  
Dorothy Furniss, Anna Furniss and Irene Milmo  
Ward: Ambien



Hinckley & Bosworth  
Borough Council

Site: Land East Of Roseway Stoke Golding

Proposal: Reserved Matters application in respect of Appearance, Landscaping,  
Layout and Scale (Outline reference: 20/00779/OUT)



## 1. Recommendations

### 1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

## 2. Planning application description

- 2.1. This is a reserved matters application for the residential development of 65 dwellings with associated open space and children's play area. This reserved matters application is for the consideration of appearance, landscaping, layout and scale following the approval of outline permission 20/00779/OUT for the erection of up to 65 dwellings including public open space, landscaping and associated infrastructure (Outline – access only).
- 2.2. The housing mix proposed comprises 39 market properties, with 20 affordable rent and 6 shared ownership units. The mix of housing ranges includes 2-bed, 3-bed and 4-bed properties. The properties proposed are of traditional construction comprising predominantly facing bricks with roofing tiles. All of the properties would be built to a height of two storeys. The Applicant has confirmed that the development will be delivered using modern methods of construction.
- 2.3. The site layout plans show the development of 65 units predominantly arranged off the main access road, which meanders through the site before connecting with

private drives serving properties located near the edges of the site. Properties face onto roads, set back with small front gardens and/or parking spaces. Properties along the northern boundary face out towards the open countryside and are setback from the site boundary by a linear area of public open space.

- 2.4. An attenuation pond is proposed on land to the west of the site, which a children's play area located in the north-eastern corner. An internal pedestrian route connects the play area to the site entrance and runs through an area of public open space along the northern boundary of the site. All dwellings have been positioned to ensure an adequate separation distance from existing properties on Sherwood Rise and Whitemoors Close.
- 2.5. During the course of the application amended plans have been received, following comments from the officer and consultees, the layout was amended to overcome concerns raised by highway officers regarding the internal road arrangement, as well as increasing the setback from the northern boundary to better reflect the indicative masterplan submitted as part of the outline application. The application was subject to a full re-consultation, where no further issues were raised.

### **3. Description of the site and surrounding area**

- 3.1 The application site is located on the northern side of Stoke Golding. The site adjoins the built-up area of Stoke Golding to the west with dwellings along Roseway and Whitemoors Close and to the south with dwellings along Sherwood Road and in the south east corner with dwellings along Ryeland Crescent.
- 3.2 Properties on Roseway and Whitemoors Close comprise primarily two-storey houses, with some bungalows, which are stepped down the sloping gradient to the west responding to the topography. Sherwood Rise comprises mainly bungalows, some of which have been extended to provide dormer accommodation.
- 3.3 A recently completed development is located to the south-east of the site which includes two 2.5 storey dwellings, including the dwelling closest to the application site.
- 3.4 To the east of the application site, is an agricultural field that is to the west of Hinckley Road, which is heavily screened by vegetation. To the north of the application site is the remainder of the agricultural field. The land beyond the application site continues to slope down to the north where it adjoins, and is accessed from, Stoke Road.

### **4. Relevant planning history**

#### **80/00841/4**

- Residential Development  
Refused  
24.06.1980

#### **75/01254/4**

- Erection of dwellings and the formation of access on land part of parcel nos 2553 and 3947.  
Refused  
25.11.1975

#### **20/00779/OUT**

- Residential Development of up to 65 dwellings including public open space, landscaping and associated infrastructure (Outline – access only)  
Approved  
23.06.2021

### **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 and a notice was displayed in the local press.

- 5.2 26 letters of objections were received from 19 addresses. The following concerns were raised:
- 1) Visual Impact
  - 2) Loss of privacy
  - 3) Anti-social behavior from the Affordable housing element of the proposal
  - 4) Concentration of social housing in one parcel of land within the site
  - 5) Boundary Treatment
  - 6) Drainage
  - 7) The proposed siting of the attenuation pond would increase risk of flooding to the neighbours
  - 8) Loss of vegetation
  - 9) Removal of any tree would be contrary to the Neighborhood Plan policy
  - 10) Correct detail plan has not been submitted for proposed 5 bedroom properties.
  - 11) Poor location of refuse collection
  - 12) Damage to existing roads during construction
  - 13) Proposed development would destroy village life and character
  - 14) Current infrastructure is not sufficient to cope with the development
  - 15) Ecological disturbance

## **6. Consultation**

- 6.1 The following comments have been received :-

- HBBC (Waste Services) - No objection. Previous comments on outline application still applicable.
- HBBC (Environmental Health) – No objection
- Leicestershire County Council (Ecology) – No objection.
- Leicestershire County Council (Archaeology) - Previous comments on outline application still applicable.
- Historic England – No objection
- HBBC (Environmental Services – Drainage) – No objection subject to conditions
- Severn Trent Water – No objection subject to condition related to submission of drainage plans for the disposal of surface water and foul sewage
- HBBC Conservation Officer – No Objection
- LCC Highways – No Objection subject to conditions.
- S106 Monitoring Officer- The accessibility and natural green space, LEAP and casual open space should be clearly identified on the proposed plan and the landscaping plans.
- HBBC Affordable Housing – No objection

- 6.2 Stoke Golding Parish Council objected to a previous iteration of the layout on the following grounds. No comments have been provided on the current layout.

- 1) Conflict over site access
- 2) Affordable housing clustering
- 3) Housing Mix
- 4) Design
- 5) Visual Impact
- 6) Reduction of separation from Dadlington
- 7) Impact on existing residents
- 8) Ecology and biodiversity
- 9) Traffic and road improvement
- 10) Drainage
- 11) S106 contributions

- 6.3 Ward Councillor – Supported comments made by Stoke Golding Parish Council.

## **7. Policy**

### **7.1 Core Strategy (2009)**

- Policy 11: Key Rural Centres Stand Alone
- Policy 14: Rural Areas Transport
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision
- Policy 20: Green Infrastructure

### **7.2 Site Allocations and Development Management Policies DPD (2016)**

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

### **7.3 Stoke Golding Neighbourhood Plan (2022)**

- Policy HG1: Housing Requirement
- Policy SG4: Housing Mix
- Policy SG5: Affordable Housing
- Policy SG7: Areas of Separation
- Policy SG11: Ecology and Biodiversity
- Policy SG12: Trees and Hedgerows
- Policy SG15: Design

### **7.4 National Planning Policies and Guidance**

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

### **7.5 Other relevant guidance**

- Good Design Guide (2020)
- National Design Guide (2019)
- Housing Needs Study (2019)
- Affordable Housing SPD (2011)
- Leicestershire Highways Design Guide

## **8. Appraisal**

### **8.1 Key Issues**

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Housing Mix
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Other matters

#### **Assessment Against Strategic Planning Policies**

8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and the NPPF is a material consideration in the determination of

applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

- 8.3 Paragraph 11 of the NPPF and Policy DM1 of the Site Allocations and Development Management Plan Document (SADMP) sets out a presumption in favour of sustainable development, and state that development proposals that accord with the development should be approved unless the other material considerations indicate otherwise. The Development Plan in this instance consists of the adopted Core Strategy (2009), the Site Allocations and Development Management Policies DPD (2016) (SADMP) and the Stoke Golding Neighbourhood Plan (2022)
- 8.4 The site is identified in the Stoke Golding Neighbourhood Plan (SGNP) as contributing towards the minimum housing requirement for Stoke Golding between 2020 – 2039 as identified in the emerging Local Plan Review 202-2039. The emerging Local Plan for 2020-2039 has reached Regulation 19 draft stage and thus can be given only limited weight at this stage.
- 8.5 In this instance, the principle for development within this area has already been established through the earlier grant of Planning permission (Ref: 20/00779/OUT). The proposal would therefore be acceptable in terms of the strategic planning principles subject to all other planning matters being satisfactorily addressed.

#### Design and Impact Upon the Character of the Area

- 8.6 Policy DM10 of the SADMP requires development to enhance the character of the surrounding area, appropriate use of building materials, high standards of landscaping, conservation of energy, and that natural surveillance, fire safety measures and the principles of secured by design are maximised. This is also supported through the adopted Good Design Guide 2020. Policy SG15 of the SGNP requires development to reflect the traditional character of Stoke Golding, whilst creating a sense of place, integrating into the surroundings, protecting existing features and provide attractive public and private spaces.
- 8.7 The site is a greenfield site, which is relatively open. The outline application identified that the development of the site would have an impact upon the immediate area, however the wider impact would be limited, subject to appropriate landscaping and design. This is due to the sites positioning outside, but adjacent to, the existing limits of development in Stoke Golding.
- 8.8 The principles of the design and layout of the scheme were confirmed within the outline application as the indicative masterplan was submitted by the applicant. The Reserved Matters layout submitted by the applicant retains these key principles and would deliver a scheme that is appropriate for its location within the settlement and existing landscape features.
- 8.9 This Reserved Matters layout retains the key characteristics of the outline masterplan, notably the offset from the northern and north-eastern boundary of the site. The internal layout has evolved throughout the course of the reserved matter application in response to comments from statutory consultees. Amendments to the plan included the repositioning of the internal road network, which now turns southward at an earlier point in the site, encouraging slower vehicle speeds.
- 8.10 The applicant has also amended the layout to include a greater offset from the northern boundary line, via the introduction of a linear area of public open space. The north-eastern parcel of POS now includes the proposed children's play area. This has the benefit of providing informal surveillance of the play area from the south and west, along with ensuring an adequate separation distance between the play equipment and the proposed dwellings.
- 8.11 The layout has been designed to provide tenure blindness between the open market and affordable units. Affordable dwellings are provided as a number of separated parcels along the southern and eastern flanks of the site.
- 8.12 The designs of the proposed dwellings include a variety of features, such as porches,

dual fronted aspects, a variety of roof types and a range of materials and detailing. There are number of different house types to add interest to the streetscene.

#### Housing Mix

- 8.13 Policy 16 of the adopted Core Strategy requires a mix of housing types and tenures to be provided on all sites of 10 or more dwellings and a minimum net density of 30 dwellings per hectare within Key Rural Centres.
- 8.14 Paragraphs 126 and 130 of the NPPF (2021) states that good design is a key aspect of sustainable development and planning decisions as it creates better places in which to live and work and helps make development acceptable to communities. Decisions should ensure that development; will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate landscaping, are sympathetic to local character, establish/maintain a strong sense of place and optimise the potential of the site.
- 8.15 The site delivers a range of densities across the site, with an average of 35 dwellings per hectare. Higher density development is located towards the central and southern areas of the site, with a reduced density near the site's boundary with the open countryside.
- 8.16 The proposal includes a policy compliant provision of 40% affordable housing with a tenure split of 75% affordable rented and 25% intermediate rent. The affordable housing mix includes two and three bedroom properties. This mix has been consulted upon with the Strategic Housing Strategy and Enabling officer who raises no concerns or objections to the altered tenure mix to that outlined in Policy 15 of the Core Strategy and the Affordable Housing SPD. The mix and tenure of the proposed dwellings is therefore in accordance with Policy 15 and Policy 16 of the Core Strategy and Policy SA2 of the Site Allocations and Development Management Policy DPD (SADMP).
- 8.17 The SGNP sets out a requirement for the following housing mix:

	1 bedroom	2 bedroom	3 bedroom	4+ bedroom
Market Housing	5%	30%	45%	20%
Affordable Home ownership	10%	50%	30%	10%
Affordable housing (rented)	25%	40%	30%	5%

- 8.18 The proposed layout differs from the prescribed mix in the SGNP, providing a greater number of 3 and 4 bedroom market units in place of 1 and 2 bedroom dwellings. Whilst there is therefore some degree of conflict with the SGNP, Officers recognise the superior directive in Chapter 11 of the NPPF which requires development to make effective use of the land. Moreover, the proposed mix is not considered to be too heavily weighted to larger dwellings, with only 19 four-bedroom dwellings and no five-bedroom units. The largest house type by quantity is three-bedroom which is welcomed.
- 8.19 The proposed layout has evolved throughout the application process, positively responding to commentary made by consultees. Officers are content that the proposed housing mix is suitable for the site.

#### Historic Environment

- 8.20 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of

preserving the listed building or its setting or any features of special architectural and historic interest which it possesses.

- 8.21 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.22 Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that the Borough Council will protect, conserve and enhance the historic environment throughout the borough. Policy DM12 requires all development proposals to accord with Policy DM10: Development and Design. Policy DM12 also states that all proposals for development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting, and that development proposals should ensure the significance of a conservation area is preserved and enhanced. In addition development proposals within or adjacent to the historic landscape of Bosworth Battlefield should seek to better reveal the historic significance of the area. Proposals which adversely affect the Bosworth Battlefield or its setting should be wholly exceptional and accompanied with clear and convincing justification. Such proposals will be assessed against their public benefits.
- 8.23 This proposal affects the significance of the grade I listed building the Church of St Margaret, the Stoke Golding Conservation Area, the Ashby Canal Conservation Area and the Registered Battle of Bosworth Field, by virtue of its location within the wider setting of these designated heritage assets. At outline planning stage the proposal was considered to have a neutral impact causing no harm to their significance, although a key component of determining this impact is the requirement for an appropriate layout and the use of a soft landscaped treatment to the northern boundary to be confirmed at reserved matters stage.
- 8.24 The proposals submitted as part of the reserved matter application specially the revised plans further increase the buffer between the proposed new housing and the rural landscape to the north and increase the amount of tree and hedgerow planting throughout the site. It is considered that, due to its appropriate appearance, landscaping, layout and scale the proposal is still considered to have a neutral impact causing no harm to their significance. The proposal is therefore compatible with the significance of the listed building, would preserve the significance of the conservation areas and the Registered Battlefield, so consequently the proposal accords with Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD, section 16 of the National Planning Policy Framework and the statutory duty of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

#### Impact Upon Neighbouring Residential Amenity

- 8.25 Policy DM10 of the SADMP seeks to ensure that development would not have significant adverse effect upon the privacy or amenity of nearby residents and occupiers of adjacent buildings, and the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.26 Residential dwellings are located to the south and west of the site. To the north and east is open countryside. Concerns have been raised by the local residents specifically from the west of the site that the proposal would have privacy and overbearing issues for them. The revised layout plan has addressed these concerns by increasing separation distance between plot 65 of the proposed development and residential properties to the west of the site. Plot 65 has no principal side facing window, therefore there should not be any privacy issue.

- 8.27 Properties set along the southern boundary of the site face inwards and have been designed to provide appropriate separation distances and rear amenity spaces. This ensures that no dwelling is unduly overlooked, nor are there any instances where dwellings are overbearing upon one another.
- 8.28 Concerns have been raised by some local residents that the affordable housing element is concentrated in one parcel of land and that this would to an increase in antisocial behavior problem. However, affordable dwellings would be provided as a number of separated parcels along the southern and western flanks of the site. The applicant is also looking into the option to swap plots to further address this issue without needing to amend the layout significantly. Any update would be reported to the Committee.
- 8.29 It is not considered that the development, once completed would have a detrimental impact upon any of these residential dwellings in terms of any overbearing impact or overlooking. Conditions are included within the outline permission for a construction environmental management plan and limited construction hours which seek to protect existing and proposed residential amenity during the course of the development.
- 8.30 Therefore, when having regard to layout, scale and appearance of the proposed development, it is not considered that the proposal would have an adverse impact upon residential amenity and would accord with Policy DM10 of the SADMP.

#### Impact Upon Highway Safety

- 8.31 Policy DM17 of the SADMP requires that applications meet a number of criteria, the most relevant for this application is c) demonstrate that there is not a significant adverse impact upon highway safety. This policy also requires proposals to reflect the highway design standards that are set out in the most up to date guidance, this is the Leicestershire Highways Design Guide.
- 8.32 During the course of the application, amended plans have been received following comments from the Local Highways Authority. The revised plans have been submitted to ensure roads are designed to meet adoptable standards. The layout of the spine roads has been designed to incorporate speed control measures and adequate forward visibility.
- 8.33 However, after reviewing the revised plan the LHA advised that the internal road layout is still not considered to be suitable for adoption. There are several points which would need to be addressed prior to the layout being adoptable. Nevertheless, it is the view of LHA that the issues with the internal layout are not considered reasons for refusal should the applicant wish for the road layout to remain in private ownership. Subject to conditions, the proposals would not have significant impact on highway safety and in accordance with Policy DM17 of the SADMP and the NPPF.

#### Ecology

- 8.34 Policy DM6 of the SADMP states that major development 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 favorably to maintain their ecological value, connectivity and functionality in the long term.
- 8.35 The application has been subject to consultation with Leicestershire County Council (Ecology) who have confirmed there is no objection to the proposed development. It is noted that Leicestershire County Council (Ecology) confirmed during the determination of the outline application that no further ecological works were required. The development therefore accords with Policy DM6 of the SADMP.

#### Drainage and Flooding

- 8.36 Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding. The outline approval (ref: 20/00779/OUT) was accompanied with by a Flood Risk Assessment (FRA), which identified that the site is in flood zone 1 (low less than 1 in 1000 annual probability of flooding).



- 8.37 The neighboring residents to the west of the site has raised concern that proposed siting of the attenuation pond would increase risk of flooding to the neighbours. However, the Lead Local Flood Authority and HBBC Drainage have reviewed the proposal related to flood and drainage and are in the view that the proposal would not increase risk of flooding to the surrounding areas.
- 8.38 The FRA includes a Flood Mitigation Strategy and a proposed surface water management strategy, to be incorporated into the scheme. Moreover, the revised scheme removed the footpath near the west site boundary and elongates the attenuation pond to address the concern of the neighbours. There are separate conditions requiring the details of surface water drainage to be submitted prior to the commencement of the site. Therefore, the scheme is not considered to create or exacerbate flooding and would accord with Policy DM17 of the SADMP.

#### Sustainability

- 8.39 Policy DM10 of the SADMP seeks to reduce the impact on climate change through sustainable design and the council seeks to achieve the most sustainable development possible, taking into account energy efficiency, design and orientation, and other measures which contribute towards sustainable development.
- 8.40 The sustainability principles that would be delivered as a result of this development include: -
- I. Delivery of highly energy efficient homes using Modern Methods of Construction
  - II. Effective Design ensuring an efficient use of land
  - III. Public transport links will provide connections to the wider area
  - IV. Existing landscape features to be retained and new habitats to be created on site.
  - V. Sustainable Urban Drainage system to be implemented on site
- 8.41 The green corridor running along the northern boundary of the site includes existing and improved hedgerows, providing a softer development edge. The proposals seek to retain and enhance these features with additional planting where appropriate. The layout of the site ensures this corridor is overlooked to encourage and allow safe pedestrian movement.

### **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, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this 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 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 principle of development has been established through the granting of the outline planning permission 20/00799/OUT. The appearance, landscaping, scale and layout of the proposed infrastructure is considered acceptable in accordance with the design principles outline within the approved DAS to accord with Policy DM10 of the SADMP.
- 10.2 The proposed development would not have any adverse impact upon Highway safety, residential amenity and ecology. The proposal would not exacerbate nor create any surface water flooding and would therefore provide a sustainable development to accord with Policies DM6, DM7, DM10 and DM17 of the SADMP.

## **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 not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Proposed Site Plan, Drg No. 3712-05M

- 2B 834 Floor Plans, Elevations, Drg No. 3112-10
- 3B 866 Floor Plans, Elevations, Drg No. 3712-12
- 3B 904 Floor Plans, Elevations, Drg No. 3712-11
- 3B 937 Floor Plans, Elevations, Drg No. 3712-13
- 3B 986 Floor Plans, Elevations, Drg No 3712-14
- 3B 1030 Floor Plans, Page 1 of 2, Drg No 3712 – 29
- 3B 1030 Elevations Page 2 of 2, Drg No 3712 – 30
- 4B 1220 Floor Plans, Elevations, Drg No 3712-15
- 4B 1267 Floor Plans Page 1 of 2, Drg No 3712-16
- 4B 1267 Elevations Page 2 of 2, Drg No 3712-17
- 4B 1428 Floor Plans Page 1 of 2, Drg No 3712-19
- 4B 1428 Elevations Page 2 of 2, Drg No 3712-20
- 4B 1488 Floor Plans Page 1 of 2, Drg No 3712-21
- 4B 1488 Elevations Page 2 of 2, Drg No 3712-22
- 4B 1578 Floor Plans page 1 of 2, Drg No 3712-23
- 4B 1578 Elevations page 2 of 2, Drg No 3712-24
- 4B 1696 Floor Plans, Elevations, Drg No 3712-25
- 4B 1855 Floor Plans page 1 of 2, Drg No. 3712-26
- 4B 1855 Floor Plans page 2 of 2, Drg No. 3712-27
- Landscaping Plan, Sheet 1 of 3, DWG No. EML BH 1172 01 Rev B
- Landscaping Plan, Sheet 2 of 3, DWG No. EML BH 1172 02 Rev B
- Landscaping Plan, Sheet 3 of 3, DWG No. EML BH 1172 03 Rev B
- Tree Pit Details, DWG No. EML BH 1172 04 Rev A

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

2. Prior to the commencement of the development, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings shall be deposited with and approved in writing by the Local

Planning Authority. The development shall be implemented in accordance with those approved material

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

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Browhill Hayward Brown Drawing No. 3712-05 Rev M. 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 accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies Plan.

4. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with Figure DG20 of the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

**Reason:** To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the NPPF.

5. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of each private drive/ shared private drive with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

**Reason:** In the interests of pedestrian safety, and in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the NPPF.

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

Notwithstanding the submitted plans, any garage doors shall be set back from the highway boundary a minimum distance of 5.5 metres for sliding or roller/shutter doors/ 6.1 metres for up-and-over doors / 6.5 metres for doors opening outwards and thereafter shall be so maintained.

**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 and in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the NPPF.

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

**Reason:** To ensure that the development is provided with satisfactory means of surface water drainage to prevent flooding and minimise the risk of pollution in accordance with Policy DM15 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. No external lighting shall be installed on the site until plans showing the type of light appliance, illumination levels and light spillage, and full details of external cowls, louvers or other shields to be fitted to the lights, have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed in accordance with the approved details, and the approved light shielding put in place before being first brought into use, and the lighting shall be maintained as such thereafter and in perpetuity.

**Reason:** In the interests of the residential amenity of the area and to minimise unnecessary light spillage above and outside the development site in accordance with Policy DM10 of the Site Allocations and Development Policies DPD.

9. No development shall take place until a scheme that makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.

**Reason:** To ensure that the development is served with a satisfactory waste collection scheme across the site to serve the amenity of the future occupants to accord with Policy DM10 of the Site Allocations and Development Management Policies DPD.

### 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](mailto: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. If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>  
If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email [road.adoptions@leics.gov.uk](mailto:road.adoptions@leics.gov.uk) in the first instance.
4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
5. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

## Delegated Report

Planning Ref: 21/01377/FUL

Applicant: The Greyhound (Botcheston) Ltd C/o Agent

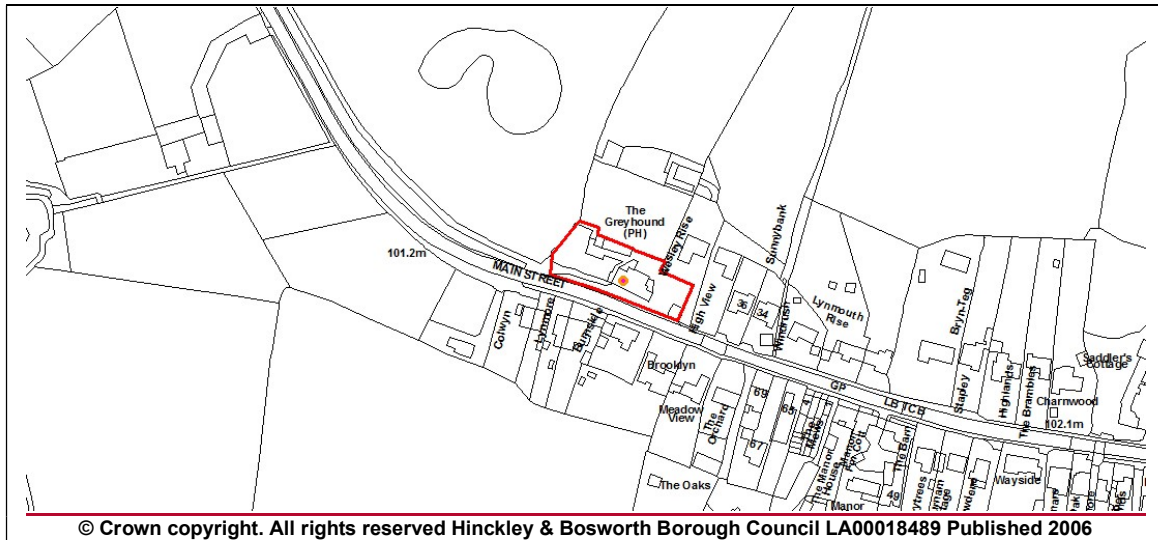
Ward: Hinckley Castle



Hinckley & Bosworth  
Borough Council

Site: Greyhound Inn, Main Street, Botcheston Leicester

**Proposal: Demolition of outbuilding, external staircase and single storey rear projection to Public House. Erection of two storey rear extension, conversion of part of Public House to form two residential dwellings. Reconfigured Public House with guest accommodation on first floor. Erection of two residential dwellings with associated access points to west of the Public House.**



## 1. Recommendations

### 1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report
- The signing of a Section 106 Agreement

## 2. Planning application description

2.1. The application seeks full planning permission for alterations and demolition works to part of the Public House, extensions to the Public House, conversion of part of the Public House to two dwellings and the erection of two detached dwellings to the west of the site.

2.2 The Public House works/alterations would result in an entrance lobby, dining room area, bar, kitchen area, bin store and toilets at ground floor level and guest accommodation at first floor level. The proposed part conversion of the Public House would result in two residential units comprising a kitchen/dining area, WC, living area, bathroom and two bedrooms. The proposed two dwellings on site would comprise three-bedroom detached properties with garages and parking areas.

## 3. Description of the site and surrounding area

3.1. The majority of the red line of the application site lies within the settlement boundary of Botcheston to the western side of the village. Open countryside lies to the north

of the application site and neighbouring residential properties bound the site to the east. The site fronts onto Main Street to the south and neighbouring properties are located on the opposite side of the highway.

3.2 The site presently consists of a rectangular plot and measures approximately 0.21 ha. It comprises the Greyhound Public House, car parking to the front and eastern side of the plot, an outbuilding/function room and garden to the rear and lawned garden to the western side. There is a fall across the site from south to north of approximately 2 metres.

3.3 The site is not contained within a conservation area and is not a listed building but the Greyhound Public House is identified as local heritage asset within the Desford Neighbourhood Plan.

3.4 The application site is contained within the boundary of the National Forest.

#### **4. Relevant planning history**

4.1 No relevant planning history.

#### **5. Publicity**

5.1. The application has been publicised by sending out letters to local residents and posting a site notice.

5.2. Nine letters of objection have been received raising the following concerns:

- Flooding concerns
- Loss of car parking facilities
- Will the bus stop be retained?
- Opposed to the change/relocation of the outdoor space in relation to noise and disturbance
- Outdoor areas will be closer to neighbouring properties and will affect amenity
- Opposed to the siting of the bi-fold doors/UPVC doors will be out of character for this building
- There was always the intention from the applicant to buy the pub and redevelop it for housing
- Viability of the food trade on site is not being enhanced by the opportunity to extend the hours
- A pub with no beer garden is not welcoming for families
- The changes will negatively affect trade due to smaller trading area
- Poorly designed residential properties that have no connection to the Public House
- More traffic = highway safety concerns
- Light pollution
- The Greyhound Pub is the heart of the village and we will lose this facility for greed and money
- Concerns over loss of trees on site

5.3 1 letter of support received which raises the following point:

- 1.) This is a well thought out plan – too many public houses are closing. If this business doesn't diversify the village could lose their local pub altogether. The pub is able to survive in a more financially efficient way.

## **6. Consultation**

6.1. No objection has been received from:

- HBBC ES Pollution (Conditions on contaminated land, ventilation, noise attenuation and construction hours)
- LCC Ecology – subject to the planting of a native species hedgerow along the northern boundary
- HBBC Drainage
- HBBC Waste Management (Condition on bin storage and collection required)
- LCC Highways (Conditions on access details, visibility splays, turning areas and cycle storage required)
- LCC Archaeology – subject to an archaeological written scheme of investigation condition

6.2. Hinckley and Bosworth Branch of CAMRA – Whilst the proposal shows some retention and internal rearrangement of the existing Public House this is considered to be on a much reduced scale. Indoor floorspace is considerably less and it seems the beer garden and games room are being removed entirely. This will result in a much diminished community use of a building recognised as possessing community value to the settlement of Botcheston. The provision of guest accommodation is welcomed particularly if this will aid the viability of the Public House. However the Council need to be satisfied that the applicant has provided justification that the existing facilities are unviable. Is a reduction in the public house trading area warranted and will it provide sufficient space to continue with a viable community facility?

6.3. Desford Parish Council – No objection subject to the following:

- An undertaking made by the applicant to make best endeavours to ensure the viability of the pub for a period of 3-5 years
- That all opportunities for sustainable improvements on the site should be made
- That the impact of the development on neighbouring properties should be minimised.
- Residents would like every endeavour made to keep the pub open while work is ongoing.

6.4. National Forest Company – Although the NFC are pleased to note that the site's location is referenced within the applicant's planning statement the case officer is asked to consider whether there is further opportunity to reflect the character of the National Forest within the design of buildings as required by Core Strategy 21 and the Good Design Guide

## **7. Policy**

7.1. Core Strategy (2009)

- Policy 13: Rural Hamlets
- Policy 16: Housing Density, Mix and Design
- Policy 21: National Forest

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 DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding

- 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 DM17: Highways and Transportation
  - Policy DM18: Vehicle Parking Standards
  - Policy DM25: Community Facilities
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)
  - Planning Practice Guidance (PPG)
  - National Design Guide (2019)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
  - Desford Neighbourhood Plan
    - Policy H6 – Windfall Site Development
    - Policy H7 – Housing Design
    - Policy ENV2 – Biodiversity
    - Policy ENV5 – Local Heritage Assets
    - Policy F1 – Retention of Existing Community Facilities
    - Policy F2 – New or Improved Community Facilities
    - Policy T1 – Traffic Management
- 8. Appraisal**
- 8.1. Key Issues
- Principle of development
  - Impact on Community facility
  - Heritage impacts and archaeology
  - Design and impact upon the character of the area
  - Impact upon neighbouring residential amenity
  - Impact upon highway safety
  - Flood risk and drainage
  - Ecology
  - Contamination
  - Section 106
  - Planning Balance
- Principle of development
- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) July 2021) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up to date plan, permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3. The current development plan consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016) and the Desford Neighbourhood Plan. The spatial distribution of growth across the Borough during the plan period 2006-2026



is set out in the adopted Core strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.

- 8.4. Using the standard method as outlined by MHCLG, Hinckley and Bosworth Borough is able to demonstrate 4.89 years of deliverable housing at 1st April 2022. Due to this and the change in the housing figures required for the borough paragraph 11(d) of the NPPF is triggered. Therefore, this application should be determined in accordance with Paragraph 11(d) of the National Planning Policy Framework (NPPF) whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is weighed in the balance of the merits of the application when considered with the policies in the SADMP and the Core Strategy which are attributed significant weight as they are consistent with the Framework. Therefore, sustainable development should be approved unless other material considerations indicate otherwise.
- 8.5. The Emerging Local Plan for 2020-39 has just been out for consultation at Regulation 19 draft stage (February to March 2022). The LDS anticipates that the Plan will be submitted in spring/summer 2022, and an estimated date for examination of late summer/autumn 2022. This will increase the weight to be afforded to the new Local Plan.
- 8.6. The majority of the application lies within the settlement boundary of Botcheston and part of the north of the site is within open countryside. Botcheston is a rural hamlet as set out within Policy 13 of the Core Strategy (CS). The CS states that rural hamlets have limited if any services and generally rely on Key Rural Centres or surrounding urban areas for schooling, employment and provision of goods and services. The policy goes on to state that development will be confined to infill housing development, local choice schemes and conversion of agricultural buildings to employment uses. Policy H6 of the Desford Neighbourhood Plan supports small residential and infill proposals subject to design, amenity and character considerations. The northern part of the application site is located within open countryside as such Policy DM4 of the SADMP is applicable. The development as proposed seeks to locate garden areas for the two dwellings within this area of the development site. As such the proposal seeks no built development on land outside of the settlement boundary.
- 8.7. Policy DM25 of the SADMP states that the Council will resist the loss of community facilities including ancillary areas. The redevelopment or loss of community facilities will only be appropriate where it can be demonstrated that:
- An equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community or
  - There is a surplus of the facility type within the immediate locality exceeding the needs of the community or
  - The loss of a small portion of the site would result in wider community benefits on the remainder of the site
- 8.8 The Greyhound Inn is also specifically mentioned in the Desford Neighbourhood Plan as a community facility covered by Policy F1 which seeks to retain existing community facilities.
- 8.9 Within the National Forest area Core Strategy Policy 21 expects a proportion of new development to be woodland planting and landscaping. However the scale of

residential development which triggers this requirement is 0.5ha – 10ha. This site falls below this threshold (0.21ha) and so Policy 21 is not applicable for this development.

#### Impact of the development upon the Community Facility

- 8.10. Public Houses can represent a social focal point for communities and community activities and can form part of the character and charm of rural settlements. However, there has been a significant reduction in public houses nationally and locally. The British Beer and Pub Association identified that 25 public houses nationally are closing each week. Locally, the Borough is also suffering a decline in public houses with the loss in the rural area having the greatest impact on the rural community life and the sustainability of settlements.
- 8.11. The proposal seeks to retain the Greyhound Inn but diversify the facility to provide guest accommodation on site and also new residential properties through the conversion of part of the Public House and the development of two detached dwellings on site. The changes will result in the reduction of overall floorspace for the existing Public House and the loss of the beer garden and games room area. The application details note that the proposals would retain the existing nine members of staff at the Greyhound Inn and the revised pub layout would accommodate around 38 covers (for consumption of food) which is a similar level to the existing capacity of the pub.
- 8.12. The application details state that the current owner of the Public House bought the business in 2018 and has struggled to make a profit. The building is expensive to run due to its age. The proposal seeks permission to create a modern facility and provide guest bedrooms above part of the Public House to generate other income streams. The applications details also highlight that the Public House is not listed as an asset of Community Value. There was an opportunity for the local community to purchase the Greyhound Inn in 2018 but no bids were put forward despite a letter being sent out to every member of the Village and the arrangement of a public meeting.
- 8.13. It is considered that whilst the proposal reduces the size/floorspace of the Public House use, the use of the building will remain on site and measures are proposed to modernise and reconfigure the building in order to optimise the functionality of the building and improve financial potential. Policy DM25 of the SADMP states that the redevelopment or loss of community facilities will only be appropriate where it can be demonstrated that the loss of a small portion of the site would result in wider community benefits. The benefits are considered to be an upgraded and modernised public house that is more fit-for-purpose. The justification for the changes are to diversify the site and enable the best opportunity for longevity of the Public House. The Parish Council have raised no objections to the proposals subject to assurances that the applicants will seek to retain the Public House use for the long term. A legal agreement has been proposed as a way of securing this measure and this is discussed in more detail in a later section of the report.

#### Impact on Heritage Assets and Archaeology

- 8.14. Section 16 of the NPPF provides national policy on conserving and enhancing the historic environment. Specifically Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets.

Policy DM12 also states that development proposals should make every effort to retain the significance of locally-listed heritage assets. Policy ENV5 of the Desford Neighbourhood Plan requires development proposals to preserve and enhance the significance and setting of heritage assets and specifically identifies the Greyhound Inn as a building of local significance.

- 8.15. The Greyhound Inn is located on the western edge of the historic core of Botcheston it is not within a conservation and is not listed but it is identified as a local heritage asset within the Desford Neighbourhood Plan (a non-designated heritage asset in terms of the NPPF). Originally, the building is likely to have housed agricultural workers. It became a Public House in 1856. Architectural interest includes a decorative door feature, terracotta ridge tiles, gable and ridge chimney stacks, chimney pots and finials and slate tiles. Artistic interest includes pub lettering and hanging sign to communicate the use of the building. The building has a visual prominence at the back edge of the road and is a landmark within the street scene.
- 8.16. The historic structure of the Public House is to be retained via its conversion and the public house use would remain on site albeit rationalised but in heritage terms it is considered that the historic value of the building would be retained. The conservation officer notes that materials need to be agreed via a condition (if approved) and that slate or clay tiles should be confirmed in order to reflect the traditional characteristics of the building. The use of flush casement windows would also have a positive effect upon the character of the building and so their specification should form part of the wording of the materials condition. It is considered that the careful use of materials would ensure that the aesthetic value of the building would be retained and would preserve the significance of this locally listed heritage asset. Therefore, it is considered that subject to a materials condition the application accords with Section 16 of the NPPF, Policies DM11 and DM12 of the SADMP and Policy ENV5 of the Desford Neighbourhood Plan.

#### Archaeology

- 8.17. Policy DM13 states that where a proposal has the potential to impact a site of archaeological interest developers should provide an appropriate assessment detailing the significance of any affected asset. Paragraph 194 of the NPPF reiterates this advice.
- 8.18. The County archaeologist has been consulted on the above application and notes that the site is located within the medieval and post medieval historic settlement core of Botcheston. The Greyhound Inn appears on ordnance survey maps of the 19<sup>th</sup> Century demonstrating particular architectural characteristics. Therefore there is the potential for below ground archaeological remains to be taken into consideration. Consequently, there is a likelihood that buried archaeological remains will be affected by groundworks associated with the proposed development including topsoil stripping, ground reduction and excavation of service trenches.
- 8.19. A condition is therefore recommended if members are minded to approve the application in order to safeguard the archaeological and heritage interest of the site. Subject to this, the application is considered to be acceptable and in accordance with Policy DM13 of the SADMP and Section 16 of the NPPF in relation archaeology matters.

#### Design and impact upon the character of the area

- 8.20. Policy DM10(c), (d) and (e) of the 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 and the use and

application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping. Policy H7 of the Neighbourhood Plan states that all new housing should continue to reflect the character and historic context of existing development and incorporate a diversity of materials.

- 8.21. The Good Design Guide SPD provides guidance upon how to design an appropriate new residential development. This includes appraising the context, creating appropriate urban structures through blocks, streets, enclosure, open space and landscaping, parking, amenity space and design detailing. The SPD advocates the use of a Building for Life Assessment.
- 8.22. Paragraph 134 of the NPPF states development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance. Local policy is considered to accord with the NPPF.
- 8.23. Botcheston is a linear hamlet formed along the principal spine of Main Street. The village was historically a close collection of agricultural buildings and small cottages set along Main Street with the Desford Brickworks at the western end. The Greyhound Pub marks the entrance to the village from the west. One of the key design objectives for Botcheston set out within the Good Design Guide is to protect the setting of the Greyhound Inn.
- 8.24. The proposal involves the demolition of a single storey rear projection to the Public House, a proposed two storey rear extension, internal reconfiguration works to convert part of the Public House to two dwellings and the erection of two detached properties to the western end of the site. One of the proposed two storey rear extensions would measure approximately 7.668 metres in width, 6.41 metres in length with a double pitch roof comprising an eaves height of 4.8 metres and ridge height of 6.4 metres approximately.
- 8.25. The proposal also seeks some alterations to the principal elevation of the Public House including replacement windows within existing windows, the re-positioning of the existing doorway and the creation of two new door openings.
- 8.26. The provision of two new dwellings on site with garden areas will result in the loss of a large portion of the pub garden and outdoor area limiting it to a smaller, more focused area immediately to the rear of the public house. However, outdoor space will still be provided for users of the Public House.
- 8.27. Use of materials is critical for this development to ensure that the scheme responds positively to the character of the immediate area and preserves the significance of the Greyhound Inn. Notwithstanding the submitted plans and as per the recommendations of the Conservation Officer it is recommended that high quality materials will be required for this site. As such, if permission is granted then a condition will be required for the submission of material samples to the local planning authority and agreed in writing to ensure the use of materials for this site are appropriate for its context.
- 8.28. Overall the scheme is considered to be acceptable and in compliance with Policy DM10(c), (d) and (e) of the SADMP, the Good Design Guide SPD and the requirements of the NPPF.

Impact upon neighbouring residential amenity

- 8.29. Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities with in the vicinity of the site.
- 8.30. The Good Design Guide SPD outlines that development will need to provide high quality internal amenity space as this is critical to the quality of life of residents. The guide states that new developments should meet minimum standards of garden sizes and separation distances between dwellings. The National Design Guide also promotes a healthy, comfortable and safe internal and external environment.
- 8.31. Paragraph 130 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 8.32. Local residents and the HBBC Environmental Services Team originally raised concerns about noise and the relationship between residential uses and the proximity with the Public House use. Further information was sought in relation to food preparation and how noise from the commercial premises would be controlled/mitigated. The Environmental Services team considered that subject to appropriately worded conditions in respect of ventilation measures on site and noise attenuation the application would be acceptable in relation to residential amenity considerations.
- 8.33. Garden/private amenity areas are provided for the proposed new dwellings and converted residential units. An outdoor area will also be provided for users of the Public House. The garden areas would exceed the 7 metre length as recommended within the Good Design Guide.
- 8.34. The windows proposed to the two detached dwellings would be located approximately 33 metres from the existing windows of neighbouring properties located opposite the site on the south side of Main Street. This is an acceptable distance with respect to privacy and minimising overlooking concerns. Wesley Rise is a neighbouring property sited to the north east of the application site. It is set on higher ground than the application site and existing vegetation also helps to separate the dwelling from the application site and provide some level of screening/privacy. Whilst the relationship is close (approx. 15 metres between the front elevation of the dwelling and the nearest element of the development proposal) the height difference and provision of landscaping is considered to offset any adverse residential amenity impacts.
- 8.35. Subject to conditions this application is considered to be acceptable in amenity terms and in compliance with Policy DM10 a, and b of the SADMP, The Good Design Guide SPD and the requirements of the NPPF.
- Impact upon highway safety
- 8.36. Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an

adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highways authority (currently this is the Leicestershire Highway Design Guide (LHDG)).

- 8.37. Policy DM10 (g) states that where parking is to be provided, charging points for electric or low emission vehicles should be included, where feasible.
- 8.38. Paragraph 111 of the NPPF (2019) outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 112(e) of the NPPF states development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 8.39. The site currently benefits from an access into the existing dedicated car parking area to the east of the main building and an existing gated field to the west. The scheme seeks to upgrade the western-most access point and provide a new access point between the public house and the existing western access. Both proposed three bed dwellings would benefit from 3 off road car parking spaces and the two residential conversions (2 bed units) would be served by four car parking spaces at the front of the site. 13 car parking spaces would be retained for users of the Public House.
- 8.40. The Highways Authority have no objection to the scheme in terms of highway safety or car parking provision, but, have requested conditions should the application be approved. These are considered to be appropriate and reasonable.
- 8.41. The proposals are considered to have a negligible impact on the highway network. As such, subject to the conditions recommended by the LHA, and an additional condition with respect to EV charging points, the proposal will satisfy policy DM17 and DM10(g) and the requirements of the NPPF.

#### Flood Risk and Drainage

- 8.42. Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.
- 8.43. Paragraph 167 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 169 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the LLFA, have appropriate proposed minimum operating standards, have maintenance arrangements for the lifetime of the development and where possible provide multifunctional benefits.
- 8.44. The site lies in Flood zone 1 (at lowest risk of flooding) and is at low risk of being adversely affected by surface water flooding. The HBBC Drainage Officer has raised no objections to the proposals and has not proposed conditions. The development will therefore satisfy Policy DM7 of the SADMP and the NPPF.

#### Ecology

- 8.45. Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation and ecological value. The application submission was supported by an ecological assessment and concludes

that the proposal would not have an adverse impact upon the natural environment. The county ecologist has been consulted on the application and is satisfied with the content of the report. There are not considered to be any ecological matters pertinent to the determination of this application and subject to a condition relating to the planting of a native species hedgerow on site the application is considered to be acceptable and accords with Policy DM6 of the SADMP.

#### S106 Heads of Terms

- 8.45. Policy DM3 of the adopted SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities. Policy 19 of the Core Strategy identifies standards for play and open space within the borough. Developments should accord with the policy and provide acceptable open space within the development, or if that is not possible contribute towards the provision and maintenance of open space off site. The Open Space and Recreation Study 2016 updates these standards and also identifies the costs for off-site and on-site contributions. No contributions for open space have been sought in this instance.
- 8.46. The request for any planning obligations (infrastructure contributions) must be considered alongside the requirement contained within the Community Infrastructure Levy Regulations 2010, as amended. (CIL). The CIL Regulations and paragraph 57 of the NPPF state that planning obligations must only be sought where they meet all of the following tests:
- A) Necessary to make the development acceptable in planning terms;
  - B) Directly related to the development; and
  - C) Fairly and reasonably related in scale and kind to the development.
- 8.47. Concerns have been raised by local residents and the Parish Council about the future of the Public House and its continuation. The applicants have agreed to sign up to a legal agreement in order to provide some reassurance in this regard. The wording of the legal agreement needs to include a requirement for all practical endeavours to be made to keep the Public House open and to agree to keep the Public House open for a reasonable period of time post works to demonstrate viability and long term future.

#### Planning Balance

- 8.48. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.49. Using the standard method as outlined by MHCLG, Hinckley and Bosworth Borough is able to demonstrate 4.89 years of deliverable housing at 1st April 2022. Therefore the Council does not have a 5 year housing land supply.
- 8.50. Under these circumstances, the NPPF sets out, in paragraph 11d) that, for decision makers:
- “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed7; or*

- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*

- 8.51. Footnote 8 in the NPPF states that the application of this approach *“includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years”*.
- 8.52. Therefore, currently the ‘tilted’ balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.53. The proposal is considered to be acceptable when taking into account all of the material considerations set out above. There are no adverse impacts associated with this development that would outweigh the benefits identified. Therefore this application is recommended for approval subject to the signing of Section 106 legal agreement and conditions set out below.

## **9. Equality implications**

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

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.
- 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. Recommendation**

- 10.1 Grant planning permission subject to signing a Section 106 Agreement, and to the following planning conditions.



## 11. 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 Layout Plan 20.253.01B
  - Block Plan 20.253.BP A received 28 January 2022
  - Site Location Plan received 28 January 2022
  - Site Sections 20.253.06 received 15 November 2021
  - Unit B Floorplan and Elevations 20.253.05 received 15 November 2021
  - Unit A Floorplan and Elevations 20.253.04 received 15 November 2021
  - Greyhound Inn Floorplan and Elevations 20.253.03 received 15 November 2021
  - Sections 20.253.06 received 15 November 2021
  - Sections 20128-20-04 received 15 November 2021
  - Ecological Appraisal and Protected Species Survey dated June 2021 received 15 November 2021

Where the above documents and plans include recommendations or propose mitigation measures, they shall be implemented in accordance with the approved details and timeframes and retained thereafter.

**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. Prior to commencement of development and notwithstanding the approved plans in Condition 2 the external materials for the development hereby permitted shall include slate or clay roof tiles in addition to the use of flush casement windows. These details and samples shall be submitted to and approved in writing by the local planning authority. No other materials shall be used other than in accordance with approved details and implemented as such.

**Reason:** To preserve the locally listed heritage asset and preserve its significance to reflect the character of the immediate area in accordance with Policy DM10, DM11 and DM12 of the Site Allocations and Development Management Policies DPD 2016 and the design and heritage requirements of the NPPF.

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

**Reason:** To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No development shall take place until a scheme for ventilation of the Greyhound Inn Premises which shall include installation method, maintenance and management has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the approved details before the premises are first brought into use and shall be maintained as such thereafter.

**Reason:** To safeguard the amenities of adjoining and neighbouring properties in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

6. No development shall take place unless and until a scheme for protecting the proposed dwellings from noise from the commercial aspect of the development (public house and accommodation) has been submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be implemented and completed before any of the permitted dwellings are first occupied.

**Reason:** To ensure the proposed use does not become a source of annoyance to neighbouring dwellings and to protect residential amenity in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

7. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

**Reason:** In the interests of ensuring against issues arising from land contamination in accordance Policy 7 of the Site Allocations and Development Management Policies DPD (2016) and with the National Planning Policy Framework (2021).

8. Site Preparation and construction shall be limited to the following hours:
  - Monday – Friday 0730-1800
  - Saturday 0800-1300No working on Sundays and Bank Holidays

**Reason:** To minimise disruption and to protect residential amenity in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

9. Prior to the commencement of development a scheme for the installation of electric vehicle charging points to serve the new dwellings will be submitted to and approved in writing by the local planning authority. The scheme shall

identify the number of units to benefit from electric charging points, together with full detail of the location and fitting of the units.

**Reason:** To ensure that the proposals meet the requirements of Policy DM10 (g) of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 112 (e) of the National Planning Policy Framework.

10. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on R3design drawing number 20.253.01 Rev B have been implemented in full.

**Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway in a slow and controlled manner and to aid highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

11. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 45 metres by 2.4 metres 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 accordance with Policy DM17 of the Site Allocations and Development Management DPD 2016 and the requirements of the NPPF.

12. Notwithstanding the approved plans the proposed access to Units A and B shall have a gradient of no more than 1:12 for a distance of at least 5 metres behind the highway boundary.

**Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway in a slow and controlled manner and to aid highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

13. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number 20.253.01 Rev B. 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 accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

14. No part of the development hereby permitted shall be occupied until such a time as site drainage details for Units A and B have been submitted to and approved in writing by the local planning authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

**Reason:** To reduce surface water runoff in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

15. The development hereby permitted shall not be occupied until such a time as each access drive and turning area has been surfaced with tarmacadam or similar hard bound material for a distance of least 5 metres behind the highway boundary and once so provided shall be retained as such in perpetuity.

**Reason:** To ensure highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

16. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from 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 Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

17. Notwithstanding the approved plans any new/replacement windows and/or doors on the ground floor within 0.5 metres of the Main Street frontage of the existing Public House shall not open so as to overhang the public highway and shall thereafter be so maintained in perpetuity.

**Reason:** To aid highway and pedestrian safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

18. No development shall take place until a scheme of hard and soft landscaping works including boundary treatments for the site and an implementation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall also include the provision of a native species hedgerow to be planted along the northern boundary of the site. The development shall be carried out in full accordance with the approved landscaping details. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed or 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 the development has a suitable external appearance in accordance with Policy DM4 and DM10 of the Site Allocations and

Development Management Policies DPD 2016 and the requirements of the NPPF.

19. No development/demolition shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the local planning authority. For the land and structures that are included within the WSI no demolition/development shall take place other than in accordance with the agreed WSI which shall include a statement of significance and research objectives and:
- a. The programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme) and the nomination of a competent person or organisation to undertake the agreed works
  - b. The programme for post investigation assessment
  - c. Provision to be made for analysis of the site investigation and recording
  - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation

**Reason:** To ensure a satisfactory historic building survey and archaeological investigation to record and advance understanding of the significance of the affected resource prior to its loss in accordance with Policy DM13 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

20. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A-E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no enlargement, improvement or other alteration to the dwellings hereby permitted for this development shall be carried out unless planning permission has been granted by the Local Planning Authority.

**Reason:** To safeguard the amenities of neighbouring properties and protect the character and appearance of the area in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2016.

21. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) all bathroom, en-suite and WC windows shown on the approved plans shall be non-opening and glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this form.

**Reason:** To safeguard the amenities of neighbouring properties in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

## 11.1 Notes to applicant

1. 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.

2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
3. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
4. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

Planning Committee 2 August 2022  
Report of the Planning Manager (Development Management)

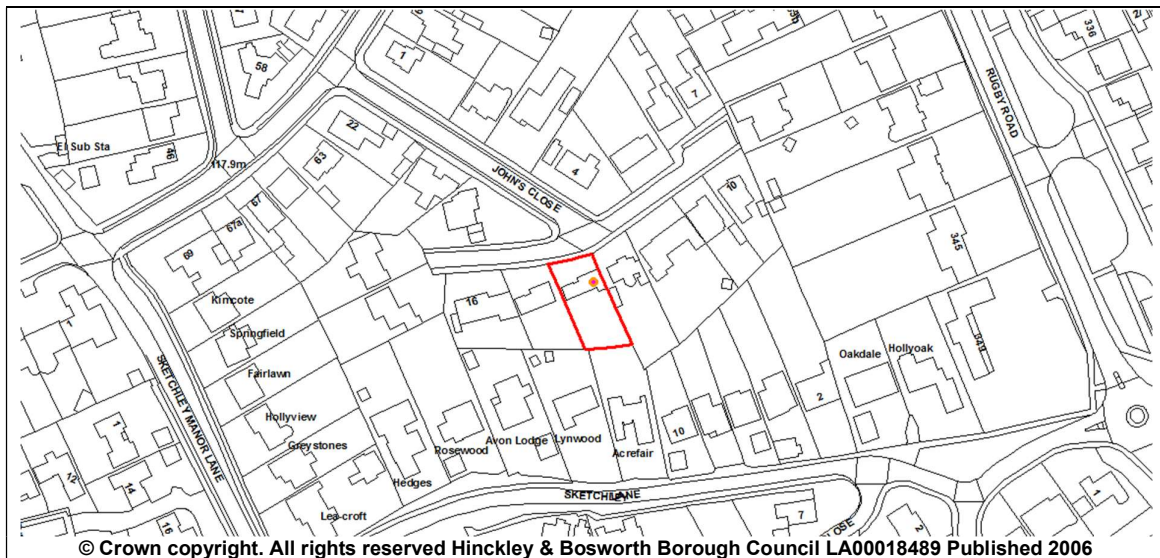
Planning Ref: 22/00132/FUL  
Applicant: Mr and Mrs Boyle  
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth  
Borough Council

Site: 14 Johns Close Burbage Hinckley

**Proposal: Demolition of existing property and replacement with new 2.5 storey dwelling whilst retaining ridge height and new front boundary wall, with associated internal garage**



## 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 two storey detached property, and for the erection of one two-storey dwellinghouse with additional accommodation within the roof space at no.14 John's Close in Burbage.
- 2.2. The application was considered by the Planning Committee on 2 August where it was decided that the application be deferred for further discussions with the Applicant to allow amendments to be made to the scheme.
- 2.3. The revision that has been made since the application was considered by Committee is that the dimensions of the building have been reduced slightly, by 0.8m in width, so that there is a 1m pathway between the building and the common boundary with 13 Johns Close, and by 0.2m in depth. There are no other alterations

to the application. Neighbours that have written to the Council regarding the original application have been informed of the revised plans.

- 2.4. During the course of the application an amendment removing the front boundary wall was received. In addition the depth of the dwelling was reduced by 0.5m.
- 2.5. The proposed two-storey dwelling has an eaves height of approximately 4.5m, and a maximum height to the ridge of approximately 7.9m – both the same as the existing dwelling on the site. The proposed dwelling has a width of approximately 13m at the front of the property, and a depth of 9.5m.
- 2.6. The proposed dwelling primarily has a pitched roof to the front, and an area to the middle of the roof which is flat roofed to accommodate the two bedrooms in the roof space.
- 2.7. The proposed materials include roof tiles to match the existing dwelling, white painted render, and brickwork to match the existing dwelling. The proposed window frames have a dark grey aluminium finish.

### **3. Description of the site and surrounding area**

- 3.1. The existing property at 14 Johns Close is a 1970s two 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 two storey and a single-storey property, numbers 13 and 15 Johns Close respectively.
- 3.2. This property is set back approximately 7.0m 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.
- 3.3. It should be noted that No12 Johns Close consent was granted under 19/01359/FUL for the Demolition of bungalow and erection of one two-storey dwelling. This dwelling was contemporary in design.

### **4. Relevant planning history**

None

### **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 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 light into side windows.
  - 5) Overlooking
  - 6) Proposed use
  - 7) Air pollution



- 8) Drainage
- 9) Noise Pollution

## **6. Consultation**

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

No objections from the following:-

- HBBC Drainage with note to applicant.
- LCC Highways
- HBBC Waste with condition

## **7. Policy**

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

- 7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

- 7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

## **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

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 newer bungalow at no.8 Johns Close has a twin gable design, with a central entranceway somewhat similar to the design proposed here at no.14 Johns Close.

- 8.4 The use of render for the two storey dwelling is considered to be acceptable given that while brick is by far the most common material there are some bungalows on Johns Close that are also entirely faced in render within Johns Close. The existing dwelling is mainly finished in half render half brick. The proposed use of matching

roof tiles to the existing dwelling is considered to complement the appearance of the wider area, where traditional grey roof tiles are fitted on other properties in Johns Close.

- 8.5 In terms of scale of the dwelling, the dwelling is the same width (13m) when the garage is included, the proposal is also the same height as the existing dwelling at 7.9m, although the proposed building, even with the modest reduction in dimensions following Planning Committee, does fill the plot. This width though is similar to that of no.16 Johns Close which is 18.0m in width and at one and a half storeys, roughly 6m in height. The height of the dwelling would be 7.9m, the same as it is now, which is equivalent to the height of neighbouring no.13 and the approved scheme at no.12 Johns Close. The flat roof element lessens the overall massing of the dwelling, as the pitch height is kept below 8m. This is considered to aid in the integration of the scheme with the smaller bungalows on Johns Close.
- 8.6 Furthermore, the separation distance between no.13 and no.15 Johns Close 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.
- 8.7 The removal of the 1.8m front boundary wall through the course of the processing of the application will help to retain the openness of the street scene along the front of Johns Close.
- 8.8 The proposed two storey dwellinghouse is therefore considered to be an acceptable addition to the area by virtue of its scale, design, and materials to be used. All of which are considered to be acceptable with regard to 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

- 8.9 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.
- 8.10 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 large amount of bulk to the rear of the existing dwelling. 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 front and rear 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. Given that the scheme complies with this aspect of the Good Design Guide it is therefore considered that the proposed scheme would not have a significant adverse impact on the amenity of these neighbouring occupiers.
- 8.11 Any potential impact on the neighbours at no.13 and no.15 Johns Close would be felt from the loss of light into the secondary side facing windows facing the proposed application site. However, the principal windows serving these rooms are to the front and rear of the properties would ensure that the dwelling would retain adequate light. A side facing window on the ensuite bedroom at the side of the property has been conditioned to be obscure glazed. Therefore it is considered that

this would not have a significant overlooking impact on these neighbouring occupants.

- 8.12 Neighbouring properties to the south of the application site, nos. 4, 6, and 8 Sketchley Lane are separated by large gardens and a distance of over 40m to the proposed site of the two storey-dwelling. The 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.

#### Impact upon highway safety

- 8.13 Policies 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.
- 8.14 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. An integrated garage, approximately 6m wide by 7m deep would provide secure off-street parking for vehicles at a distance of over 6.5m from the highway boundary. There is enough space for two cars to park on the front of the site. This has been conditioned at part of the approval to ensure three car parking places have been provided for.
- 8.15 Consequently, the proposed demolition of the 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 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 Concerns have been expressed regarding the end use of the proposed two storey dwellinghouse as a business but anything that changed the character of the property from a dwelling to a business would require a change of use application. There is no indication that this building will be used for any use other than standard residential use.
- 8.19 Any noise impact from the construction of the replacement dwelling would be controlled under statutory noise legislation.

## **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, 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 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:

- Proposed Floor Plans and Elevations 481/002-1 Rev D
- Location and Block Plan 481/003 Rev B

**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 first floor western elevation serving the en-suite bathroom 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 three off street car parking provision has been provided. 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 (2021)

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

**Reason:** To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

#### 11.4 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at [buildingcontrol@hinckley-bosworth.gov.uk](mailto: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 APPEAL PROGRESS REPORT - Week ending: 12.08.22

## WR – WRITTEN PRESENTATIONS

## HA – HOUSEHOLDER APPEAL

## IN – INFORMAL HEARING

## PI – PUBLIC INQUIRY

File Ref	Case Officer	Application No	Type	Appellant	Development	Appeal Status	Process Dates
22/00014/PP	TH	21/00556/FUL (PINS:3297466)	IH	Springbourne Homes Limited	Land Rear Of 5 - 15 The Coppice Burbage (Erection of No. 8 dwellings with associated access and landscaping)	Start Date Hearing Date	13.05.22 23.08.22 10am
		20/00862/HOU (PINS:3273173)	WR	Mr Micky Ahluwalia	10 Rosemary Way Hinckley LE10 0LN (Two storey side and rear extension)	Awaiting Start Date	16.04.22
22/00016/PP		21/00159/OUT (PINS:3299049)	WR	Mr and Mrs K Kooner	Land adj to Four Acres Leicester Road Desford LE9 9JJ (Residential development of one dwelling (outline-access only))	Start Date Statement of Case Final Comments	29.07.22 02.09.22 16.09.22
		21/00981/FUL (PINS:3301962)	WR	Merriwell Properties Ltd	Land to the rear of 84,84A & 86 Leicester Road Hinckley (Erection of six detached dwellings)	Awaiting Start Date	27.06.22
22/00017/PP		21/01131/OUT (PINS: 3301735)	PI	Barwood Development Securities Ltd	Land off Sketchley Lane Burbage (Demolition of existing poultry and cattle buildings and residential development of up to 150 dwellings with vehicular access from Sketchley Lane (outline - vehicular access only))	Start Date Statement of Case Proof of Evidence Inquiry (7 days sitting) 10am	08.08.22 12.09.22 01.11.22 29.11.22

22/00001/ENF	CZ	EN20/00278/UNBLDS (PINS:3289687)	PI	Mr William Willett	Bungalow Farm The Paddocks Earl Shilton LE9 7TJ	Inquiry	Sep 2022
		21/01470/OUT (PINS:3295558)	IH	Ms A Genco Harrow Estates	Land East Of The Common Barwell Leicestershire (Residential development of 110 dwellings with associated access, open space and landscaping (outline - access only))	Awaiting Start Date	25.03.22
Page 44	EC	21/00787/OUT (PINS: 3300552)	IH	Penland Estates Limited, RV Millington Limited, Sarah Higgins and Gavin Higgins	Land Northeast of Ashby Road Markfield LE67 9UB Residential development of up to 93 dwellings, public open space, landscaping and SuDS (Outline- access only) (cross boundary application with Charnwood BC)	Pre – notification of appeal	07.03.22
21/00033/CLD	EC	21/00889/CLE (PINS Ref 3283791)	WR	Mr & Mrs Alec Moore 78 Main Street Bagworth	78 Main Street Bagworth (Certificate of Lawful Existing Use for the use of the outbuilding (only) to the rear of 78 Main Street, Bagworth as a maintenance, service, and repair workshop (resubmission of 20/01141/CLE))	<b>Awaiting Decision</b>	
22/00007/NONDET	JPS	21/01149/OUT (PINS:3290898)	WR	Mr Roger Edwards 2 De Montfort Road Hinckley LE10 1LQ	Land North 258 Ashby Road Hinckley LE10 1SW (Erection of up to 5 no. dwellings (outline - access only) land north of 258 Ashby Road)	<b>Awaiting Decision</b>	



22/00011/PP	JPS	21/00130/FUL (PINS: 3288892)	WR	Mr & Mrs Chris and Mandy Wright	236 Ashby Road HINCKLEY LE10 1SW (Erection of two dwellings)	<b>Awaiting Decision</b>	
22/00009/PP	TV	20/01003/FUL (PINS 3286965)	WR	Mr Farhad Tailor	Oldlands Fenn Lanes Dadlington CV13 6DS (Indoor menage building)	<b>Awaiting Decision</b>	
22/00015/PP	JA	21/01400/HOU (PINS: 3299592)	HA	Mr & Mrs M Parsons	48 Clarence Road Hinckley LE10 1DR (Proposed Loft Conversion to existing dwelling)	<b>Awaiting Decision</b>	

#

## Decisions Received

21/00031/NONDET	SL	21/00581/OUT (PINS ref 3284379)	PI	Mr David Thornton-Baker Barwell Capitol Ltd Harris Lamb Ltd 75-76 Francis Road Birmingham	Land At Crabtree Farm Hinckley Road Barwell (Residential development of up to 25 dwellings with associated public open space and infrastructure (outline - access to be considered))	<b>Allowed</b>	<b>01.06.22</b>
22/00007/NONDET	JPS	21/01149/OUT (PINS:3290898)	WR	Mr Roger Edwards 2 De Montfort Road Hinckley LE10 1LQ	Land North 258 Ashby Road Hinckley LE10 1SW (Erection of up to 5 no. dwellings (outline - access only) land north of 258 Ashby Road)	<b>Dismissed</b>	<b>07.06.22</b>
22/00004/PP	OP	21/00307/OUT (PINS Ref 3283898)	WR	Mr & Mrs Brooks 7 Assheton Lane Twycross	7 Assheton Lane Twycross (Erection of one dwelling (outline - access only))	<b>Dismissed</b>	<b>10.06.22</b>
22/00002/NONDET	OP	21/00687/OUT (PINS: 3283890)	WR	Hallmark properties (Leic) Ltd	Land at Higham Lane Stoke Golding (Residential development for one dwelling (Outline- access and layout)	<b>Dismissed</b>	<b>14.06.22</b>
22/00012/PP	JA	21/00196/FUL (PINS: 3291363)	WR	Mr Rakesh Mistry	24 Main Street Ratby LE6 0JG (Dropped kerb outside 24 Main Street)	<b>Dismissed</b>	<b>16.06.22</b>
22/00010/PP	TV	20/01011/FUL (PINS: 3290710)	WR	Roger Lee Planning	Wide View fennLane fenny Drayton CV13 6BJ (Change of use from agricultural land to storage of agricultural machinery, vehicles and materials, vehicular access (Retrospective))	<b>Dismissed</b>	<b>17.06.22</b>
22/00008/PP	TV	21/00640/OUT (PINS Ref 3290863)	WR	Mrs A Kitching Home Farm Cottage 23 Barton Road CV13 0LQ	Land North,Nailstone Road,Barton in the Beans (Residential development for ten bungalows (outline - access only))	<b>Dismissed</b>	<b>22.07.22</b>

22/00013/NONDET	TV	21/01080/FUL (PINS: 3292353)	WR	Ms Magdalena Brace Amberon Ltd Sketchley Meadows	Amberon Ltd Unit 8 Sketchley Meadows LE10 3EN (Erection of fencing and gates)	<b>Allowed</b>	<b>05.08.22</b>
-----------------	----	---------------------------------	----	--------------------------------------------------------	-------------------------------------------------------------------------------------------	----------------	-----------------

This page is intentionally left blank