

**Planning Committee 7 January 2020
Report of the Planning Manager**

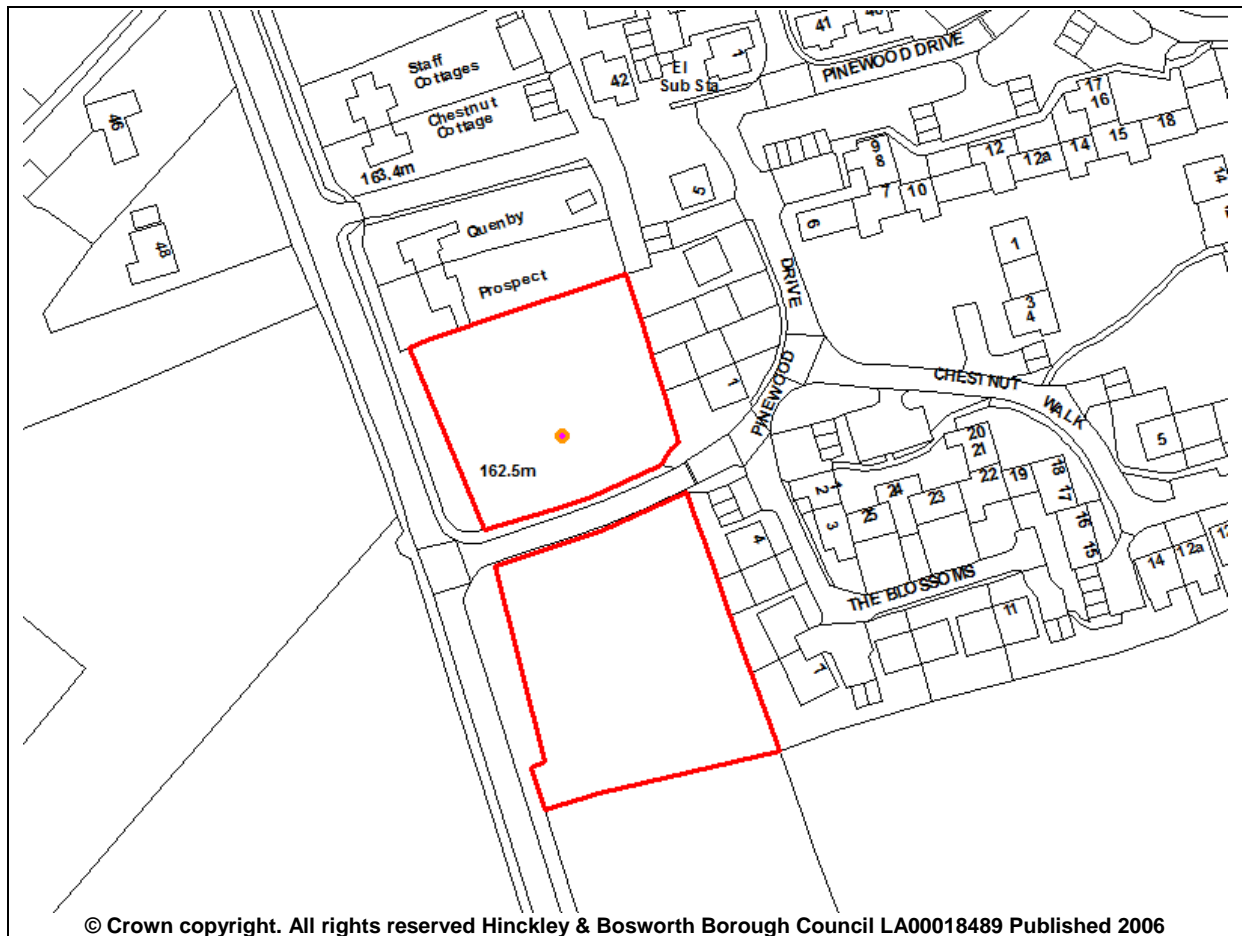
Planning Ref: 19/01013/FUL
Applicant: Markfield Court Village
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: Land South Of Pinewood Drive Markfield

Proposal: Erection of ten bungalows (extension to Markfield Court Retirement Village)



1. Recommendations

1.1. Grant planning permission subject to:

- The completion within 3 months of this resolution a S106 agreement to secure the following obligations:
 - 40% of the total number of the bungalows shall be affordable units and shall be delivered on-site with a mix of 75% social or affordable rent and 25% intermediate tenure. The bungalows shall be 2 bed 4 person units.
 - Contribution towards library services of £300.
- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. This application seeks full planning permission for the construction of 10 detached bungalows. Three types of bungalow are proposed. The pitch height of the bungalows would vary between 4.66 – 4.75 metres and all of the bungalows would have two bedrooms and an attached single garage.
- 2.2. Two vehicular accesses would be constructed from Pinewood Drive with four bungalows sited to the north of the drive and six bungalows to the south. The two access roads would be staggered and would be set back a minimum of 24 metres from Ratby Lane. Visibility splays are proposed to be formed through the pruning and trimming of hedgerows either side of the proposed site accesses. The existing trees and hedgerows along Ratby Lane would remain in situ.

3. Description of the Site and Surrounding Area

- 3.1. The application site consists of two plots of land located either side of Pinewood Drive and to the southwest of Markfield retirement village. Both of the sites are overgrown scrub land containing self set trees, brambles and other shrubs with the boundary defined by a post and rail fence.
- 3.2. The site abuts properties within Markfield Court to the east. These are single storey dwellings with small gardens separated from the application site by a hedgerow interspersed with trees. To the north of the application site lie 4 properties which form a ribbon development facing Ratby Lane beyond which is countryside. A maintained hedgerow forms this northern boundary. To the east and south of the application site lies open countryside. The site is located outside of the settlement boundary of Markfield which lies to the north-east. However, Markfield retirement village to the east of the site (which is shown on the Borough Wide Policies Map as a housing site with planning permission and a community facility) and the housing to the north give the area its semi-rural character.

4. Relevant Planning History

98/00216/OUT	Residential development (outline)	Refused	29.04.1998
12/00380/OUT	Erection of 13no. bungalows (extension to Markfield retirement village)	Refused	22.08.2012
13/00559/OUT	Erection of 11 dwellings (outline - access only)	Refused	13.11.2013

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. Four letters of objection have been received during the consultation period from four separate addresses raising the following issues:
- 1) The site lies outside of the settlement boundary and on vacant land that was not part of the original Markfield hospital;
 - 2) The existing bungalows on the retirement complex are clearly visible from Ratby Lane;

- 3) The tree survey is inadequate and fails to mention any of the mature trees and hedging surrounding the site and does not provide any root protection zones;
- 4) The trees along the road should be protected by a Tree Preservation Order;
- 5) The landscaping scheme should include native countryside species;
- 6) Previous planning applications on this site have been refused;
- 7) The settlement of Markfield has already had significant amounts of housing development;
- 8) The bus service through the Retirement Village has been revised and reduced and will be reviewed in 5 years time;
- 9) Development of this site would have a detrimental impact on the character of this rural area and would set a precedent for other similar developments;
- 10) Ratby Lane is a busy road where cars are travelling 60mph;

5.3. Two letters of support have been received during the consultation period for the following reasons:

- 1) The proposed development would enhance the Retirement Village for landscape reasons;
- 2) The new residents would use the community facility within the Village;
- 3) This housing for over 55's would allow people to retain an independent lifestyle for as long as possible;

6. Consultation

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

National Forest

HBBC Affordable Housing Officer – subject to a legal agreement

Section 106 Monitoring Officer

Leicestershire Police

Environmental Services (Pollution)

LCC as Lead Flood Authority – subject to pre-commencement conditions

6.2. LCC as Highway Authority has confirmed that they have no objections provided a revised layout is submitted showing the two roads staggered.

7. Policy

7.1. Core Strategy (2009)

- Policy 21: National Forest
- Policy 22: Charnwood 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 DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

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

7.4. Other relevant guidance

- Hinckley and Bosworth Borough Landscape Character Assessment
- Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Drainage
- Infrastructure Contributions and Affordable Housing

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) (2019) 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.
- 8.3. Paragraph 11 of the NPPF and Policy DM1 of the SADMP set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise.
- 8.4. The development plan in this instance consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).
- 8.5. The application site lies within the boundaries of the National Forest and the Charnwood Forest where Policies 21 and 22 of the adopted Core Strategy are applicable. However, by virtue of the site being located within a cluster of existing established residential development, the proposal would not have any significant adverse impacts on either of these designated areas. The National Forest Strategy contains a planting schedule for development which exceeds certain thresholds which in this case would be residential development on sites which exceed 0.5 hectares in size. In this instance though the application site does not exceed the thresholds set in the Strategy for on-site green infrastructure. The National Forest has been consulted on this proposal and have no comments to make.
- 8.6. The site also lies outside of any settlement boundary and is therefore within the designated countryside where Policy DM4 of the adopted SADMP is applicable. Policy DM4 of the adopted SADMP seeks to protect the open character and landscape character of the countryside from unsustainable development and to prevent ribbon development between settlements. New residential development is not a form of development that the policy considers to be sustainable in countryside locations.
- 8.7. As such there is clear conflict between the proposed development and the policy. Indeed, similar proposals on the site have previously been refused as being contrary to the settlement hierarchy. This issue will need to be carefully weighed in the planning balance along with the detailed assessment of the other relevant planning considerations in this case.

Design and impact upon the character of the area

- 8.8. Policy DM4 of the adopted SADMP requires that development in the countryside does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside and does not create or exacerbate ribbon development.
- 8.9. 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 and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally, with the intention of preventing development that is out of keeping with the character of the surrounding area.
- 8.10. Paragraphs 124 and 127 of the NPPF state that good design is a key aspect of sustainable development and planning decisions should ensure that developments: will function well, are visually attractive as a result of good architecture and layout and 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.
- 8.11. Objections to the application have been received on the grounds that the proposal would be detrimental to the character of the countryside. A Planning Statement and Design and Access Statement have been submitted to support the scheme.
- 8.12. The site lies within the Charnwood Forest Settled Forest Hills as defined in the Landscape Character Assessment and in Policy 21 of the SADMP. The key characteristics of this area as related to the site are the small to medium scale field pattern interspersed with large areas of woodland cover and the large clustered villages with strong suburban influences. The application site comprises of two undeveloped small paddocks. Although located within the countryside, to the north and east of the application site are existing residential dwellings. The dwellings to the east are located within the Markfield Retirement Complex and this proposal would form an extension to this Complex. Plans have been submitted with the application to show that the application site did form part of the former hospital site at Markfield and so it is argued by the applicant that the land constitutes 'previously developed land.'
- 8.13. Open agricultural fields lie to the south and west of the site. However, Ratby Lane forms a physical barrier to the land to the west and the extent of the built form of the Retirement Complex dictates a barrier to the land to the south. However, the site does contribute to the open character and appearance of the surrounding countryside.
- 8.14. The site is situated within a prominent position along Ratby Lane. Located to the front of a Retirement Complex, through the completion of a landscaping scheme the proposal would form the gateway into this Complex. Indeed, the presence of the residential properties on two sides of the site and a main road on one side do shield views of the site from the countryside to the south east of the site. A planning condition can be imposed to ensure that the additional planting as shown in the landscaping plan is undertaken in this area in accordance with the requirements of Policy DM4 of the SADMP.
- 8.15. The proposed dwellings would be limited in height to a maximum of 4.75 metres to their pitch. Being part of a retirement complex the residential curtilages of each plot would not be defined but instead the land around the bungalows would be left open similar to the other bungalows in the retirement complex. As such, the development of these plots of land would have limited impact on the open character of the countryside in this location and the positioning of the built features around the

boundary of the site in this instance ensures that the perceived separation between the built development and the wider countryside is observed and maintained.

- 8.16. The design of the proposal being constructed from brick and tiles would be in keeping with the character and appearance of the adjoining properties. The design and layout of the scheme also reflects the needs of the future occupants and supporting staff. The single storey bungalows reflect the scale of the existing bungalows within the Retirement Complex and would be similarly set back from the site frontage. The proposed bungalows have a simple plain fronted design with pitched tiled roofs.
- 8.17. Therefore, the proposal would not have a significant adverse impact on the open character and landscape character of this area of countryside, having regard to the wider pattern of development. As such although the proposal would extend built form in an area outside of a settlement boundary and previous proposals have been refused, it is not considered to cause significant harm for the reasons set out above and therefore the proposal is in accordance with Policy DM4 of the SADMP. The design and scale of the properties proposed would not unacceptably harm the character or appearance of the area and would accord with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.18. 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 and that the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.19. Concerns have been raised about potential overlooking and loss of privacy into the neighbouring property along Ratby Lane. The proposed properties would be single storey in height. Secondary windows serving lounge areas would be located on the side elevation facing this northern boundary. These windows would be screened from views into the neighbouring property by the retention of the existing boundary hedgerow. In view of the low level height of the bungalows proposed, the existing bedroom window on the side elevation of this property would look over the roofs of the bungalows and so there would not be any overlooking or loss of privacy caused to the occupiers of this neighbouring property.
- 8.20. Concerns have also been raised about potential overlooking and loss of light to the properties in Pinewood Drive and The Blossoms. By virtue of the single storey scale of the bungalows, the separation distance of a minimum of some 14 metres to the rear boundary with the nearest neighbouring dwelling to the north-east and the retention of the existing high mature hedgerow, the proposal would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy from overlooking to any neighbouring residential properties.
- 8.21. The imposition of a condition to retain the existing boundary hedgerows can be imposed to further address the concerns raised above. Subject to such measures being implemented, the scheme would be in accordance with Policy DM10 of the adopted SADMP.

Impact upon highway safety

- 8.22. Policy DM17 of the SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision. Paragraph 109 of the NPPF states that a safe and suitable access to sites should be achieved and

that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

- 8.23. The proposal relates to the construction of two private access roads off Pinewood Drive which is an adopted highway up to the eastern boundary of the application site. An existing footway exists along one side of Pinewood Drive which leads from Ratby Lane into the Retirement Complex. Following concerns raised by the Highway Authority an amended plan has been submitted showing the proposed access roads being staggered so that a crossroads is not created from Pinewood Drive.
- 8.24. The submitted details and amended access proposals have been assessed by Leicestershire County Council (Highways) who consider that the proposal would generate a low level of traffic intensification where there are no recorded collisions. By virtue of the scale and nature of the development, the proposed access arrangements and site specific circumstances, the local highway authority consider that the proposal would not result in any significant adverse impacts on highway safety and the residual cumulative impacts on the transport network would not be severe. Therefore the local highway authority raises no objection to the scheme subject to the imposition of a number of highway related conditions to ensure safe development. The conditions are considered to be reasonable and necessary in the interests of highway safety. The proposal would therefore be in accordance with Policy DM17 of the adopted SADMP.
- 8.25. At least two car parking spaces have been provided for each of the properties proposed. As such the parking provision is considered adequate to serve the total development of 10 dwellings in accordance with Policy DM18 of the adopted SADMP.

Drainage

- 8.26. Policy DM7 of the adopted SADMP requires that development proposals demonstrate that they would not create or exacerbate flooding.
- 8.27. LCC as the Local Lead Flood Authority has assessed the application. Although the site is located within Flood Zone 1 it would involve a total of 0.184 hectares of greenfield land to be impermeable. A detailed design of the surface water drainage scheme has been submitted with the planning application which incorporates sustainable drainage principles. The Lead Flood Authority also requires that the submitted scheme should also incorporate the use of pervious paving. Pre-commencement conditions are requested to ensure that this scheme is submitted and agreed prior to completion of the development. However, as a drainage strategy has been submitted it is considered that these conditions should be pre-occupation conditions. The conditions would be reasonable and necessary to demonstrate that the development would not create or exacerbate flooding in accordance with Policy DM7 of the adopted SADMP.

Infrastructure Contributions and Affordable Housing

- 8.28. 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.
- 8.29. The request for any planning obligations (infrastructure contributions) must be considered against the requirements contained within the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations require that where developer contributions are requested they need to be necessary to make the development acceptable in planning terms, directly related and fairly and reasonably related in scale and kind to the development proposed.

Library Facilities

- 8.30. The Library Services – Locality Manager North requests a contribution of £300 towards the delivery of library services and facilities at Markfield Library to mitigate the impact of additional users from the development on the facility. The estimated impact is small in scale and reasonable. In this instance the contribution is considered to be CIL compliant and therefore should be requested from the developer.

Affordable Housing

- 8.31. Policy 15 of the Core Strategy states that to support the provision of mixed, sustainable communities, a minimum of 2090 affordable homes will be provided in the borough from 2006 to 2026. Policy 15 seeks the provision of 40% affordable housing on all sites in rural areas with a tenure split of 75% for social rent and 25% for intermediate tenure.
- 8.32. The submitted Heads of Terms document includes the provision of 40% affordable housing units (4 units) in accordance with the requirements of Policy 15 of the adopted Core Strategy. The provision could be secured through the completion of a suitable planning obligation.

Whether on balance the development would be sustainable

- 8.33. The NPPF is a material consideration in determining applications. Paragraph 11 of the NPPF identifies that plans and decisions should apply a presumption in favour of sustainable development, and for decision taking this means approving development proposals that accord with an up to date development plan. The policies relating to the supply of housing are now considered out of date and the Council cannot demonstrate a five year supply of deliverable housing. Therefore the presumption in favour of sustainable development within paragraph 11 (d) of the NPPF is triggered which provides that where policies are out of date 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 NPPF taken as a whole.
- 8.34. Paragraph 8 of the NPPF states that sustainable development has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The assessment of the three dimensions relative to this proposal are as follows:
- 8.35. Economic – The scheme would provide some benefits to the local economy through the creation of jobs and demand for services and materials for the construction of the development itself and from the future occupation of the development supporting businesses in the wider rural area as well as supporting the community facility at the Retirement Complex which is an allocated Community Site in the SADMP.
- 8.36. Social – The scheme would provide a contribution to the overall housing supply within the Borough through the provision of 10 dwellings which is a material consideration of significant weight. In addition to this, four of these dwellings would be affordable units. These units would meet the demands of providing affordable bungalows in the Markfield area as there are 15 people on the Council's housing register who are over 60 and have a local connection with Markfield. The proposal would also provide adapted residential units exclusively for the over 55's within an existing retirement complex and a planning condition could be imposed on any consent granted to ensure that occupiers meet this criteria. This type of housing would have significant social benefits through the provision of specialist supported living accommodation for which there is an identified need for such accommodation

in the Housing and Economic Development Needs Assessment (2017) for Leicestershire in this location.

- 8.37. Environmental - Although the proposal is situated outside the settlement boundary, it is not in an isolated position, with development positioned on two boundaries. The development would be within a safe walking distance of the local services of Markfield and there is a public transport link which travels along Pinewood Drive and into the Retirement Complex. Given the positioning of the site in relation to the wider area the proposal would not result in a significant adverse impact upon the countryside.
- 8.38. Therefore, it is concluded that the proposed development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits, when assessed against the NPPF. In addition to this there would be significant social benefits from providing specialist supported living accommodation for which there is an identified need for such accommodation in the Housing and Economic Development Needs Assessment (2017) for Leicestershire in this location.

9. Equality Implications

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

10. Conclusion

- 10.1. The proposal seeks development of the existing land for the erection of ten detached bungalows. The site is currently two grassed paddock areas, and situated outside the defined settlement boundary of Markfield.
- 10.2. However, although the application site is located outside of the settlement boundary, given the surrounding development and the character of the area, the land is not in an area of physical and perceived separation. Therefore, having regard to the NPPF and the fact that policies relating to the supply of housing are now out of date, paragraph 11(d) of the NPPF and the presumption in favour of sustainable development is triggered. In this instance the siting, layout, scale, design and appearance of the bungalows proposed along with landscaping would

complement the character and appearance of the surrounding area rather than result in any significant adverse impacts on the countryside. In addition, the scheme relates to the provision of specialist supported living accommodation for which there is an identified need in the Housing and Economic Development Needs Assessment (2017) for Leicestershire.

- 10.3. The proposal would also not have any significant adverse impacts upon residential amenity, or on vehicular or pedestrian safety, and subject to conditions would not result in any adverse impact on drainage. It is considered that the proposed development would be in accordance with Policies DM7, DM10, DM17 and DM18 of the SADMP and paragraph 11 of the NPPF.
- 10.4. Policy DM1 of the adopted SADMP and the NPPF in paragraph 11 provides a presumption in favour of sustainable development which comprises three overarching objectives. The proposed scheme would contribute to the economic objective of sustainable development through the investment in developing the site, the resulting job creation and occupation. The proposal would contribute to the social objective through the provision of specialist accommodation to support communities' health and social well being and through contributing towards the housing supply in particular affordable housing for the over 55's. The proposal would not result in any significant environmental impacts.
- 10.5. Therefore, notwithstanding the countryside location of the site, by virtue of the specialist nature of the accommodation being proposed and the lack of any significant identified harm, in this case the scheme is considered to be a sustainable development in general accordance with Policies 21 and 22 of the adopted Core Strategy, Policies DM1, DM4, DM7, DM10, DM17 and DM18 of the adopted SADMP and the overarching principles of the NPPF (2019) and is therefore recommended for approval subject to conditions.

11. Recommendation

11.1. Grant planning permission subject to:

- The completion within 3 months of this resolution a S106 agreement to secure the following obligations:
 - 40% of the total number of the bungalows shall be affordable units and shall be delivered on-site with a mix of 75% social or affordable rent (3 units) and 25% intermediate tenure (1 unit). The bungalows shall be 2 bed 4 person units.
- Contribution towards library services of £300.
- Planning conditions outlined at the end of this report.

11.2. Conditions and Reasons

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

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan, Drg No. M01 Rev A, Drg No. M03 Rev A and Drg No. EWE/2467/01 Rev A received by the local planning authority on 12 September 2019 and Drg No. M04a Rev B received by the local planning authority on 19 November 2019.

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).

3. The development hereby permitted shall be utilised solely for the purposes of providing specialist independent residential accommodation for persons aged 55 or over only.

Reason: To define the permission and in recognition of the special circumstances of the case to accord with Policies DM4, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No development above foundation level of the dwellings hereby approved shall take place until the drainage layout as approved on Drg no. EWE/2467/01 has included the incorporation of the use of pervious paving for the prior approval in writing by the local planning authority. The approved details shall then be implemented on site prior to any of the dwellings being occupied.

Reason: To ensure a satisfactory drainage scheme is constructed in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. No part of the development hereby approved shall be occupied until the access, footpaths, parking, turning area and layout arrangements as shown on approved drawing no: M04a Rev B received by the local planning authority on 19 November 2019 has been implemented in full. For the avoidance of doubt, the footpath links into Pinewood Drive shall have dropped pedestrian access kerbs. Thereafter, the onsite parking provision shall be maintained for such use at all times.

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

7. No part of the development hereby approved shall be occupied until such time as the access drives and turning space has been surfaced with tarmacadam or similar hard bound material (not loose aggregate) and, once provided, shall be maintained as such in perpetuity.

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

8. No site clearance, preparatory work or construction of the foundations of the dwellinghouse hereby approved shall take place until a scheme for the protection of the retained trees and hedgerows as shown on approved Drg no. M04a Rev B has been submitted and approved in writing by the local planning authority. The approved scheme shall be carried out as approved.

Reason: In the interests of preserving the character and appearance of the area in accordance with Policies DM4 and DM10 of the SADMP.

9. Prior to the construction above foundation level of the dwelling houses hereby approved, a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the protection of the existing trees and hedgerows, planting plans for the landscaping shown on Drawing No: M04a Rev B, hard surfacing materials, boundary treatments, fencing specifications, plant species, plant sizes and proposed numbers and densities.

Reason: In the interests of preserving the character and appearance of the area in accordance with Policies DM4 and DM10 of the SADMP.

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

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

11. Notwithstanding the provisions of Article 3, Schedule 2 Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revoking and re-enacting that Order, no gates, walls, fences or other means of enclosure (except for those approved by this permission) shall be erected within the application site unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

11.3. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. The site drainage scheme shall be constructed so that no surface water drains onto the public highway. Any access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability.
3. Planning permission does not give approval to work on the public highway. Therefore, prior to carrying out works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
4. Where soakaway drainage is initially proposed, the suitability of the ground strata for infiltration should be ascertained by means of the test described in BRE Digest 365, and the results submitted to the LPA and approved by the Building Control Surveyor before development is commenced. If the ground strata prove unsuitable for infiltration, alternative SuDS proposals will require the further approval of the LPA before this condition can be discharged.

5. The collection point for domestic recycling, garden waste and refuse will be from the adopted highway boundary and so provision needs to be made on site for the storage of containers.