

Planning Committee 7 January 2020
Report of the Planning Manager

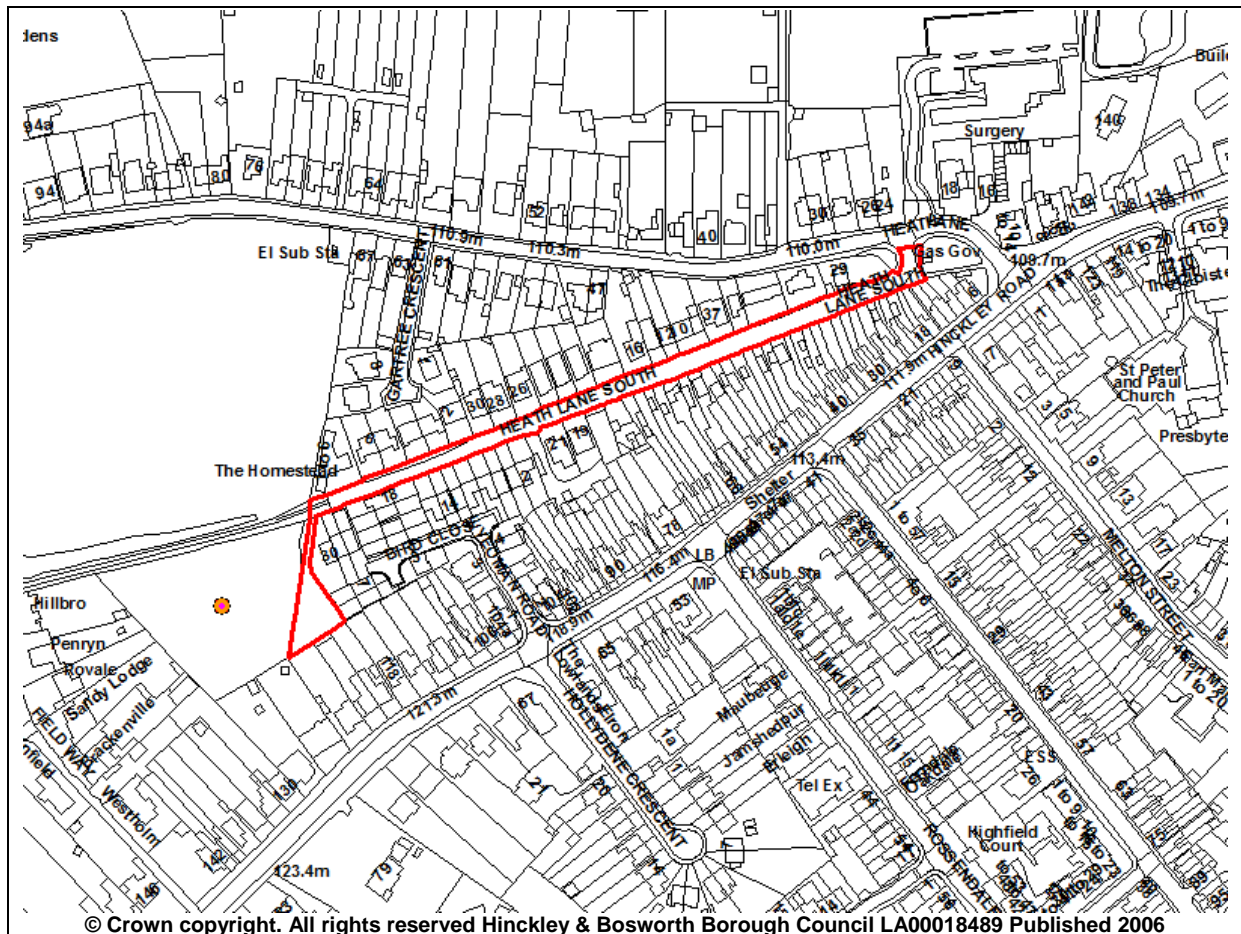
Planning Ref: 19/00674/FUL
Applicant: Mr S Hollows
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: Land To The West Of Heath Lane South Earl Shilton

Proposal: Erection of 4 flats (resubmission of 18/00618/FUL)



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 application seeks planning permission for the erection of four flats at land to the west of Heath Lane South, Earl Shilton.
- 2.2.** This application is a resubmission of a previously refused application for the erection of four flats (reference: 18/00618/FUL). This application was refused due to the introduction of an uncharacteristic, fragmented and incongruous form of development and the lack of a badger survey as the site has the potential to support badgers.

- 2.3. The proposed block of flats would be sited approximately 43 metres from the unadopted highway of Heath Lane South. It would be approximately 4.9 metres to the eaves and 7.15 to the ridge with a footprint of approximately 102 square metres. To overcome the reasons for refusal of the previous application a badger survey has been submitted in support of this application and the design of the proposal has been altered slightly.

3. Description of the Site and Surrounding Area

- 3.1. The application site is located to the rear of no. 120 Hinckley Road and at the end of Heath Lane South, an un-adopted, private road. Access would be from Heath Lane South where it meets the public highway, Heath Lane. The land was previously covered in dense trees and hedges but at the time of submission of this application the land had been cleared and loose gravel laid. Residential properties are located to the east and south with dense woodland located further west.

4. Relevant Planning History

19/00611/HOU	Detached garage	Permission	30.07.2019
19/01040/DISCON	Application to discharge condition 3 (levels) attached to planning permission 19/00611/HOU	Not Discharged	15.10.2019
18/00618/FUL	Erection of four flats	Refused	15.08.2018

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. 34 letters of objection have been received from 18 separate addresses raising the following concerns:
- 1) Poor Condition of access road (Heath Lane South);
 - 2) Extra traffic will make condition of road worse;
 - 3) Greater danger to pedestrian safety (public footpath runs along Health Lane South);
 - 4) Out of character development;
 - 5) Inadequate access;
 - 6) Inadequate parking provision;
 - 7) Potential noise disturbance considering how the site has been used in the past (historical disruption);
 - 8) Impact on the badgers on the neighbouring site;
 - 9) Structural damage to existing buildings/boundary treatments at a lower level to the application site;
 - 10) Dust regenerated from Health Lane South is detrimental to residents health;
 - 11) Will set a precedent for adjacent land to be developed;
 - 12) Noise from extra traffic;
 - 13) Back land development;
 - 14) No evidence of whether the artificial badger sett is active or of its distance; from the proposed development;

6. Consultation

6.1. No objections subject to conditions/notes to applicant:

HBBC Drainage
HBBC Waste
LCC Ecology
LCC Highways
HBBC Pollution
HBBC Conservation Officer

6.2. Earl Shilton Town Council have provided no comments

7. Policy

7.1. Core Strategy (2009)

- Policy 2: Development in Earl Shilton
- Policy 19: Green space and Play Provision

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. Earl Shilton and Barwell Area Action Plan (2014)

- Policy 22: Development and Design

7.4. National Planning Policies and Guidance

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

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity and future occupiers
- Impact upon highway safety
- Impact upon ecology
- Drainage and Pollution
- Obligations
- Other matters

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 National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (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. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).
- 8.4. The relevant development plan documents in this instance consist of the adopted Core Strategy (2009), Earl Shilton and Barwell Area Action Plan (2014) and the adopted Site Allocations and Development Management Policies Development Plan Document (2016) (SADMP).
- 8.5. 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.
- 8.6. However, the housing policies in the development plan are considered to be out-of-date as they focus on delivery of a lower housing requirement than required by the up-to-date figure and the Council is unable to demonstrate a 5 year housing land supply when using the standard method set out by Ministry Housing Communities and Local Government (MHCLG). Therefore paragraph 11 of the NPPF is triggered and the application should be determined in accordance with Paragraph 11(d) of the Framework 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.
- 8.7. A recent appeal decision at Crabtree Farm, Hinckley Road, Barwell (appeal reference APP/K2420/W/19/3222850) determined that substantial weight should be given to the provision of new housing. This along with the consideration under paragraph 11(d) is weighed in the balance of the merits of the application when considered with the policies in the Site Allocations and Development Policies DPD 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.
- 8.8. The application site is located within the settlement boundary of Earl Shilton. Policy 2 of the adopted Core Strategy supports development within the settlement boundary of Earl Shilton. Earl Shilton has good access to facilities, services, employment and sustainable modes of transport. The Council will support housing developments within settlement boundaries that provides a mix of housing types and tenures as detailed in Policy 15 and Policy 16.
- 8.9. By virtue of its location, the proposal would not result in any conflict with Policy 2 of the Core Strategy, it is therefore considered acceptable in principle, unless other material considerations indicate otherwise.

Design and impact upon the character of the area

- 8.10. 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.
- 8.11. Policy 22 of the adopted Earl Shilton and Barwell Area Action Plan seeks to permit development that does not adversely impact the character or appearance of the host building or the surrounding area.

- 8.12. The application comprises a parcel of land located to the west of no. 30 Bird Close and north of no. 120 Hinckley Road. The site was previously covered in dense trees and hedges but has recently been cleared.
- 8.13. The proposal would result in the development of a two storey building comprising 4 flats located immediately on the rear boundary of properties on Hinckley Road. The application site would be located at the end of Heath Lane South with access via a single width track. The surrounding built form comprises predominantly two storey dwellings and subsequently the two storey building would not be out of character.
- 8.14. This application is a resubmission of an application which was previously refused for introducing an uncharacteristic, fragmented and incongruous form of development.
- 8.15. There is an existing line of built development spreading from Heath Lane along the side boundaries of no. 67 Heath Lane, no. 8 and 7 Gartree Crescent, The Homestead flats development and no. 30 Bird Close through to no. 118 Hinckley Road. The land to the west of this existing built development is currently open/verdant in nature by way of a playing field and dense woodland.
- 8.16. However, the application site is no longer green and is not very open. The proposed residential development would be set back from Heath Lane South and the existing building line however it would not be overly prominent within the street scene. Also there are other examples of infill/back land development between Heath Lane South and Hinckley Road (i.e. Bird Close).
- 8.17. As Hinckley and Bosworth Borough Council cannot demonstrate a five year land supply at the current time, on balance the need for housing would outweigh any harm in terms of the impact upon the character of the area (which is seen to be minor in this instance for the above reasons) and as such the proposal would therefore comply with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity and future occupiers

- 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.
- 8.19. Policy 22 of the adopted ESBAAP seeks to permit development that does not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.20. The proposed apartment block would be sited approximately 16.5 metres from the rear elevation of no. 5 and 7 Bird Close and approximately 23 metres from the rear elevations of the properties on Hinckley Road. Although the proposal would be sited approximately 1 metre away from the rear boundaries of the properties on Hinckley Road, given the significant distance and orientation of the sun, it is not considered that the proposal would result in significant overbearing impacts on any residential properties. Even though there are significant separation distances between the proposed flats and neighbouring properties it would be considered necessary for condition to be imposed, that any first floor windows on the rear elevation would be obscurely glazed to prevent overlooking. It should be noted that there are no proposed windows first floor level on the proposed eastern side elevation and as such would not result in any additional overlooking.
- 8.21. Landscaping is also proposed to the front of the proposed building to create a buffer/screen between the parking and the ground floor windows on the front elevation. Some of these windows are primary windows to habitable rooms and therefore this would protect the residential amenity of any future occupiers from any light pollution from car headlights.

- 8.22. It is therefore considered that the proposed development would not result in any significant adverse impacts upon the residential amenity of any adjacent properties, in accordance with this criterion of Policy DM10 of the SADMP.

Impact upon highway safety

- 8.23. Policy DM17 of the adopted 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.
- 8.24. Six parking spaces have been provided within the site, one for each one-bedroomed flat and two for each two-bedroomed flat. A turning space has also been provided to allow vehicles to manoeuvre and leave the site in a forward gear. This is considered to be in accordance with the Leicestershire Highway Design Guide.
- 8.25. Access to the site would be from Heath lane South, which is a private un-adopted road and is not publicly maintained. All disputes between rights of access along this road is a civil matter between the applicant and the owners of the road.
- 8.26. Given the extensive number of existing properties and associated vehicle movements using Heath Lane South, it is not considered that this development of four flats would result in a significant intensification of vehicle movements along this private road to the detriment of the maintenance of the road or any resulting dust or drainage issues. It is therefore considered that the proposed development would not have a severe impact upon highway safety in this regard.
- 8.27. Leicestershire County Council Highways department have commented on the proposal and have no objections subject to conditions.
- 8.28. Heath Lane South is also a footpath (U74). LCC Public Rights of Way have been consulted on the proposal and they are satisfied that the proposed development can be accommodated without detrimental impact to highway safety. It is also noted that due to the condition of the surface along Heath Lane South, speeds are lower. Adequate parking and turning provision has been provided within the site to enable vehicles to enter and exit the development site in a forward gear.
- 8.29. The proposal would therefore be in accordance with Policy DM17 and DM18 of the SADMP.

Impact upon ecology

- 8.30. Policy DM6 of the SADMP seeks to ensure that development proposals demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management. The removal or damage of such features shall only be acceptable where it can be demonstrated that the proposal would result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.
- 8.31. The proposed development is immediately adjacent to an area of rough grassland/scrub which has potential to support badgers. It is therefore likely that badger setts are present in the adjacent land and have the potential to be impacted by the development. This is supported by a large number of neighbouring letters received that make note of a badger sett in the vicinity of the site.
- 8.32. A badger survey has been submitted that states that there is knowledge of an adjacent artificial badger sett however no evidence of a badger sett within the application site or the adjacent site was found.
- 8.33. LCC Ecology has stated that the sett could no longer be very active. The actual application site is clear and unsuitable for badgers. LCC Ecology therefore recommends approval of the application subject to a condition being imposed that

requires the applicant/developer to follow the working methodology within section 5 of the submitted report.

- 8.34. Additionally, due to the history of the site, a condition will be imposed requiring an updated survey to be submitted no more than 2 months prior to the commencement of the development.
- 8.35. The other reason for refusal of the 2018 application was the limited information submitted in regards to badgers. This application has overcome this reason for refusal by having all the relevant information submitted and having no objections from LCC Ecology.
- 8.36. Overall, it is considered that the development would not result in harm to protected species, therefore it complies with Policy DM6 of the SADMP.

Drainage and Pollution

- 8.37. Policy DM7 of the adopted SADMP seeks to ensure that adverse impacts from pollution and/or flooding will be prevented.
- 8.38. The proposed development is located within flood zone 1 and is not identified as being in an area at risk from surface water flooding. To ensure the proposed development does not exacerbate or create flood risk elsewhere, a number of notes to applicant would be provided should the application be recommended for approval.
- 8.39. Concerns have been raised in regards to potential noise disturbance considering the historical disruption at the site. The existing use of the site and associated noise and burning of bonfires are currently being investigated by the relevant Enforcement and Environmental Health Teams.
- 8.40. Concerns have also been raised in regards to noise from the extra traffic and dust generated from Heath Lane South impacting resident's health.
- 8.41. HBBC Pollution has raised no objection but recommends conditions to be imposed due to the site being directly adjacent to a former landfill site which is thought to have received builders waste and industrial waste. As such, conditions would be considered necessary and reasonable to ensure the investigation of land contamination on the site prior to commencement of development, to accord with Policy DM7 of the SADMP.

Obligations

- 8.42. 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 adopted Core Strategy seeks to address existing deficiencies in the quality, quantity and accessibility of green space and children's play provision within settlements.
- 8.43. The request for any planning obligations (infrastructure contributions) must be considered alongside the requirement contained within the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations confirm 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.
- 8.44. The nearest public amenity space to the application site is Wood Street Community Park (reference EAR35) which has a quality score of 78% in the Open Space and Recreation Study (2016) which is close to the target quality score of 80%.

- 8.45. Any requested infrastructure contribution for public play and open space facilities would need to be necessary to make the development acceptable in planning terms and therefore CIL compliant.
- 8.46. However, in this case, the proposal is for only four additional dwellings which would not have any significant impact on existing play and open space facilities. The development is considered to be acceptable in planning terms without any contribution and therefore the contribution would not be CIL compliant in this case. Therefore, notwithstanding Policy DM3 of the adopted SADMP and Policy 19 of the adopted Core Strategy, no contribution has been pursued in this case.

Other matters

- 8.47. Concerns have been received regarding the setting of a precedent and the potential development of the land further to the west of the application. Each application is however considered on their own merits taking into account the individual characteristics of the site.
- 8.48. Concerns have been raised in regards to structural damage to existing buildings/boundary treatments at a lower level to the application site. This would be a civil matter and is not a material planning consideration.

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. By virtue of the proposed siting, layout, scale, design, appearance and existing and proposed landscaping, the proposed scheme would complement the character and appearance of neighbouring development and would not have any significant adverse impacts on the character or appearance of the surrounding area, the amenities of any neighbouring properties, highway safety, or biodiversity and conditions have been imposed to ensure that the development would not result in any significant adverse impacts from flooding or pollution. The proposal would

therefore be in accordance with Policies DM1, DM3, DM6, DM7, DM10, DM17 and DM18 of the adopted SADMP, Policies 2 and 19 of the adopted Core Strategy and Policy 22 of the adopted ESBAPP. The application is therefore recommended for approval subject to conditions.

11. Recommendation

11.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

11.2. Conditions and Reasons

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

Reason: To comply with the requirements of Section 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:

Block Plan Drg No: 1378/Rev- A Sheet 2
Floor Plans, Elevations Drg No: 1378/Rev-A Sheet 1
received by the Local Planning authority on 10 October 2019
Site Location Plan
received by the Local Planning authority on 13 June 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. 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. No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

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

5. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted in writing to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the

agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

6. 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 in writing 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 first dwelling being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. Prior to commencement of development a scheme for the monitoring of landfill gas on the site shall be submitted to and in writing by the Local Planning Authority which shall include details of how any landfill gas shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: As the site lies within 250 metres of a known landfill/made up ground site and in the absence of detailed information which demonstrates that the site does not have ground gas egress, in order to safeguard human health and to ensure that the necessary measures are taken to avoid any risk to public safety, in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. No works shall take place on the site other than between the hours of 07:30 hrs and 18:00 hrs on weekdays and 08:00 hrs and 13:00 hrs on Saturdays and not at any time on Sundays and Bank Holidays unless other agreed in writing. No waste materials shall be burnt on the site at any time.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

9. 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 Site Allocations and Development Management Policies Development Plan Document (2016).

10. No development shall commence until a survey to confirm (or otherwise) the presence of badgers; on the site has been submitted to and approved in

writing by the Local Planning Authority. If badgers are present the survey shall be accompanied by a scheme of appropriate mitigation measures (including precise details of the timing and method of protection). No development shall be undertaken except in accordance with the approved scheme of mitigation.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

11. The development shall be carried out in full accordance with the mitigation strategy, specified in section 5 the ecological appraisal received 24th October 2019.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

12. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Block Plan Drawing No. 1378/REV-A Sheet No 2 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, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019).

13. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Block Plan Drawing No. 1378/REV-A Sheet No 2. Thereafter the onsite parking provision shall be so maintained in perpetuity.

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

14. The windows at first floor level on the rear elevation shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale, top-hung and inward opening only. Once so provided the windows 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 Site Allocations and Development Management Policies Development Plan Document (2016).

15. No development shall commence on site until a scheme of hard and soft landscaping works, including boundary treatments, for the site has been submitted to and approved in writing. The scheme shall be carried out in full accordance with the approved landscaping scheme prior to the first occupation of any dwelling. The soft landscaping scheme shall be maintained for a period of 5 years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted which shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

16. Development shall not begin on site until surface water drainage details and calculations, incorporating sustainable drainage principles (SUDs) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the full details prior to the completion of the development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site to accord with Policy DM7 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. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. 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 Design Guide which is available at <https://resources.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-highway-design-guide>.
3. In relation to condition 6; advice from Health and Environment Services can be viewed via the following web address:- <https://www.hinckley-bosworth.gov.uk/info/200075/pollution/177/contaminated> land site which includes the Borough Council's policy on the investigation of land contamination. Any scheme submitted shall be in accordance with this policy.
4. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, previous 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.
5. 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 guidance on the permeable surfacing of front gardens).