

Planning Committee 29 June 2021  
Report of the Planning Manager

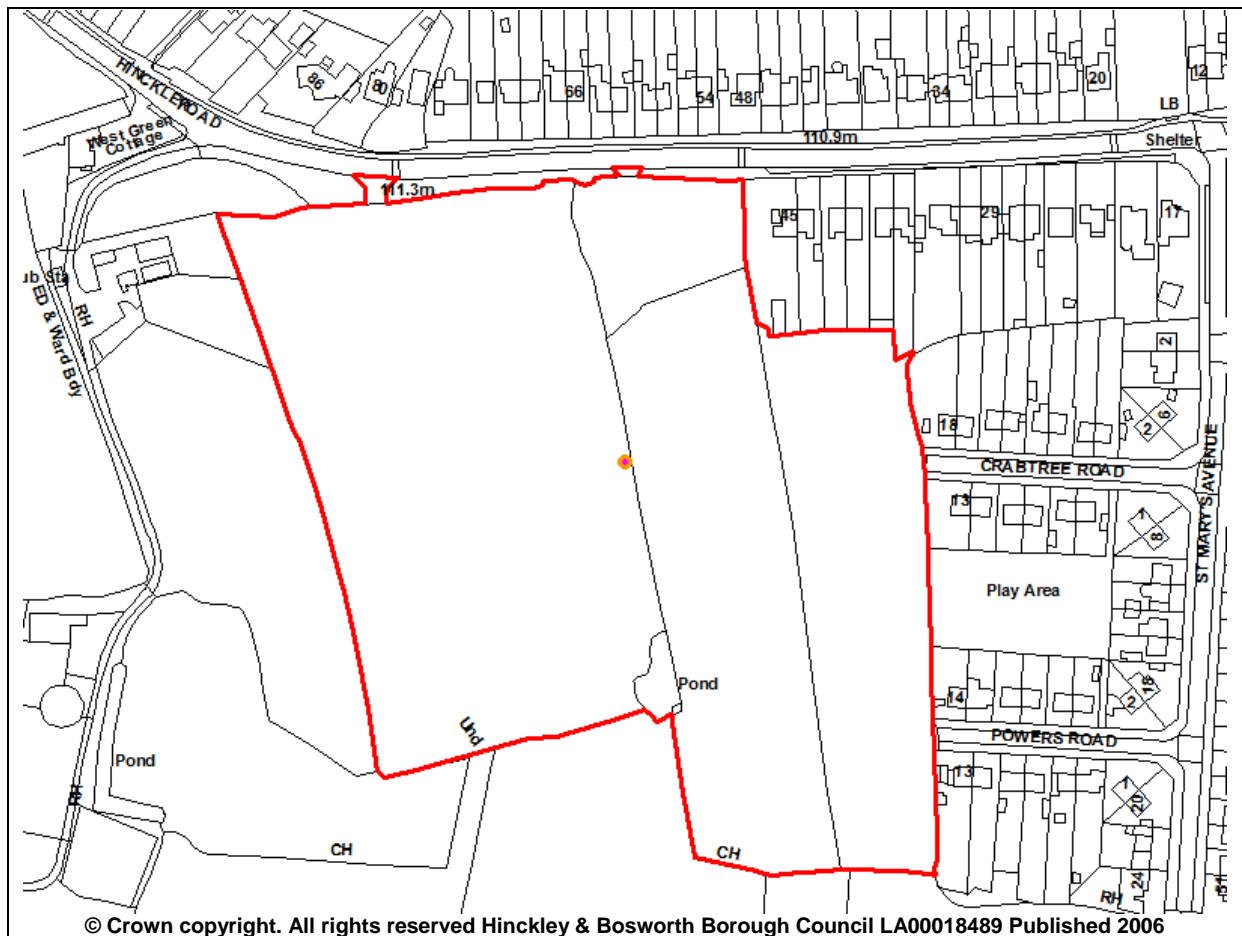
Planning Ref: 20/01172/REM  
Applicant: Fort Estates Ltd  
Ward: Barwell



Hinckley & Bosworth  
Borough Council

Site: Land At Crabtree Farm Hinckley Road Barwell

Proposal: Approval of reserved matters (appearance, landscaping, layout and scale) of outline planning permission 18/00279/OUT for residential development of 25 dwellings



**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.** The proposal relates to the approval of reserved matters following outline planning permission granted under ref: 18/00279/OUT for a residential development of up to 25 dwellings and the provision of a new cemetery and associated access, parking and shelter and public open space. A detailed access plan showing a new road off

Hinckley Road in the location of an existing field gate has already been considered and approved under this outline permission.

- 2.2. The housing mix proposed comprises 20 market properties, 4 affordable rented properties and 1 shared ownership property. The mix of housing ranges includes 1-bed, 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.
- 2.3. The site layout plan shows the development of 25 properties predominantly arranged along a central access road. All of the properties face onto roads behind small front gardens with car parking either to the front or side of the properties. An area of open space is proposed to the east of the site. The existing field hedgerow would be retained. An attenuation pond is proposed on the land to be used as a cemetery. The dwellings along Hinckley Road would be set back behind the existing hedgerow.
- 2.4. The proposal includes the construction of a public footpath from the eastern side of site into Crabtree Road linking the two play areas. There would also be an internal pedestrian access constructed towards the western boundary of the site to link in to the proposed cemetery.

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

- 3.1. The application site is located in the countryside adjacent to, but outside of, the settlement boundary of Barwell and south of Hinckley Road. The site measures approximately 4.35 hectares and comprises a number of open pasture fields with well-defined hedgerow boundaries which include trees. The site has a verdant semi-rural character and is relatively flat with no significant changes in ground levels.
- 3.2. Residential development lies to the north and east of the site, Crabtree Farm and open fields lie to the west of the site and there are open pasture fields to the south of the site.
- 3.3. The application site and the surrounding open fields form part of the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge.

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

#### **18/00279/OUT**

- Erection of up to 25 dwellings, provision of open space and change of use of land for new cemetery and associated shelter (Outline - access only)  
Refused Planning Permission and Appeal Allowed on 02.07.2019  
17.08.2018

#### **19/00393/FUL**

- Change of use of land to a new burial ground, new access, landscaping and car parking  
Planning Permission  
04.09.2019

### **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. 8 letters of objection from 7 residential properties have been received raising the following issues:

- 1) HBBC has a 5 year housing land supply so this additional housing is not required.
- 2) This site lies in the countryside and would join up Barwell with Hinckley.
- 3) The creation of accesses onto a busy main road would cause highway safety issues.
- 4) The housing layout would cause overshadowing and overlooking into neighbouring gardens especially as the land is 500mm higher than the adjoining land.
- 5) The land is liable to flooding if the drainage ditches are blocked.
- 6) Crabtree Road is a quiet cul-de-sac and the proposal for a footpath at the end of the road into this application site for pedestrians and cyclists would lead to it becoming a thoroughfare.
- 7) Pedestrian access would also be created into the proposed cemetery which is unwelcome.

## **6. Consultation**

6.1. No objections have been received from:

- Barwell Parish Council
- HBBC Environmental Services (Pollution) – subject to a condition
- HBBC Drainage
- HBBC Waste Management – subject to a condition
- LCC as Highway Authority – subject to conditions
- LCC Archaeology
- HBBC Affordable Housing
- LCC Ecology

6.2. No comments have been received from:

- Severn Trent Water Ltd
- Western Power

## **7. Policy**

7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) (2014)

- Proposals Map
- Policy 22: Development and Design

7.2. Core Strategy (2009)

- Policy 3: Development in Barwell
- Policy 6: Hinckley/Barwell/Earl Shilton/Burbage Green Wedge
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision
- Policy 20: Green Infrastructure

7.3. 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 DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation

- Policy DM18: Vehicle Parking Standards
  - Policy DM25: Community Facilities
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2019)
  - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
  - National Design Guide (2019)
  - Hinckley/Barwell/Earl Shilton/Burbage Green Wedge Review (2020)
  - Landscape Character Assessment (2017)
  - Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA)
  - Affordable Housing SPD (2011)
  - Open Space, Sports and Recreational facilities Study (PPG17) 2017

## **8. Appraisal**

### 8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Ecology
- Open Space Provision
- Highway Safety
- Other Matters

Design and impact upon the character of the area

- 8.2 Policy DM4 of the 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, does not undermine the physical and perceived separation and open character between settlements and does not create or exacerbate ribbon development.
- 8.3 Policy DM10 of the adopted SADMP seeks to ensure that proposals complement or enhance surrounding development through materials, design and architectural features.
- 8.4 The application site lies within Area F: Burbage Common Rolling Farmland. Key characteristics of this landscape include: *1) Large scale gently rolling arable and pasture farmland with local variations in topography influenced by small streams; 3) Medium to large scale rectilinear field pattern bounded by low hedgerows and post and wire fencing with smaller scale pasture fields around the settlements. Field boundaries and hedgerows generally follow contours; 5) Sparse settlement within the area, comprising individual buildings and scattered farm complexes; 7: Open landform and lack of tree cover allows for expansive and distant views to edge of settlement, often situated on the skyline, and punctuated by major infrastructure; and 9) Green Wedge providing separation between Hinckley and Barwell and green infrastructure to the cluster of settlements of Burbage, Hinckley, Barwell and Earl Shilton.*
- 8.5 Key landscape sensitivities and values for this area identified within the LCA include: *3) The generally rural character and undeveloped landscape of the Green Wedge which forms an important gap between Hinckley and Barwell and a green infrastructure link to the wider landscape to the north; and 6) Extensive visibility and*

*long distance views across open expanses of rolling farmland are sensitive as any change/development has the potential to be widely visible.*

- 8.6 Landscape strategies for this area identified within the LCA include: 2) *Respect and enhance the essentially rural character of the landscape;* and 4) *Maintain the gap between Hinckley and Barwell as a multifunctional green corridor incorporating recreation.*
- 8.7 Within the Urban Characteristic Area Assessment of Barwell (UCA 9) the key characteristics include: 1) Ridge top settlement with views to the open landscape north and south; and 3) Rural setting of the countryside to the south and west which maintains separation between (Barwell) and Hinckley and Burbage. Key sensitivities and values for this area include: 1) The rural setting and 'green wedge' to the south of Barwell which provides a sense of separation from Hinckley; 2) The views from the south of the settlement and from Shilton Road to the countryside provide a sense of space and sense of place; 6) Public footpaths and bridleways connecting the settlement with the surrounding countryside have recreational value and are tied to the local history of the area.
- 8.8 Outline planning permission was granted at appeal for residential development on the application site for the construction of up to 25 dwellings. Being located within the countryside and the Green Wedge, the Inspector noted at paragraph 17 of the decision notice that the existing vegetation around the application site, together with adjacent copses, provided a soft edge that largely screened views of the existing properties, with no obvious long or middle distance views into the site, particularly where the residential element was proposed. At paragraph 19 the Inspector confirmed that the Council would have control over the final layout of any residential scheme and could ensure that built form was kept away from the boundary and that boundary planting was reinforced. As such, planning conditions to secure the retention and enhancement of existing boundary vegetation and contain the residential development to the eastern part of the site were imposed on the outline consent.
- 8.9 Detailed landscaping plans accompany this reserved matters application. This shows that the proposed layout would retain all of the landscaping along the boundaries of the residential site with the exception of the removal of a section of hedgerow next to the vehicular access onto Hinckley Road and a small section removed for the pedestrian access onto Crabtree Road. The boundary fencing proposed for the properties would be set back from the hedgerows in areas retained as public open space. Additional planting would also be provided around the boundaries of the site. These mitigation measures would maintain the site's existing mature and open character which contributes to the semi-rural character of the area. They would also assist in shielding views of the development from the road and views into the site from the surrounding area as required by the outline planning permission.
- 8.10 The existing residential dwellings surrounding the site comprise of a mix of detached dwellings and semi-detached dwellings sited with limited front gardens and generous rear gardens. The properties proposed are of a traditional design comprising of facing brickwork with roofing tiles. The variations in roof styles and orientations proposed as required by the Council's Good Design Guide SPD would create variety and rhythm within the street scene. Parking areas and garages are predominantly set between dwellings in order to reduce the visual impact of cars on the street scene. Landscaping and grass verges are proposed along the internal roads to soften the built development along with a large area of public open space. Dwellings are orientated to maximise views over the public open space to improve natural surveillance of these areas.

- 8.11 Concerns have been raised by local residents regarding the proposal to link the application site with the public footpath which runs along Crabtree Road. This footpath link would enable residents of the proposed and existing housing to access the public open space to be provided on the application site along with the existing public open space already located off Crabtree Road. A further link would also be provided into the proposed cemetery. Whilst the concerns of the residents along Crabtree Road regarding the increase in pedestrians along this road are noted, this footpath is already used to access the existing play area off Crabtree Road. Policies 6 and 20 in the Core Strategy also seek to provide easy access for residents into green spaces. Indeed, to ensure that the Green Wedge remains or is enhanced as an attractive contribution to the quality of life for nearby residents Policy 6 encourages uses that provide appropriate recreational facilities within easy reach of the urban population and promote positive management of land. The provision of a footpath link between the existing housing and proposed housing, cemetery and open space would provide this easy access into green spaces as required by Policies 6 and 20 of the Core Strategy whilst improving the permeability of the site for the benefit of the existing and proposed residents.
- 8.12 The proposal to provide footpath links into and out of the site from Hinckley Road and Crabtree Road would also be in accordance with advice contained in the Council's Good Design Guide (2020) SPD on creating urban structure through connectivity and permeability.
- 8.13 The housing mix proposed comprises 20 market properties, 4 affordable rented properties and 1 shared ownership property. 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 20% affordable housing with a tenure split of 75% for social rent and 25% for intermediate tenure and this would be provided by the scheme.
- 8.14 The housing mix for the affordable housing units includes 1-bed and 2-bed properties. This mix has been agreed with HBBC's Affordable Housing Officer. The mix of housing ranges for the market properties includes 3-bed and 4-bed properties. This mix of housing types and tenures would comply with the requirements of Policy 16 of the Core Strategy.
- 8.15 Therefore, it is considered that the design, layout and landscaping details as submitted along with the improvements to landscaping and ecological enhancements would positively add to the character of the area, in accordance with Policies DM4 and DM10 of the SADMP. As such, any harm to the character of the area would be reduced to limited harm with regards to the reserved matters scheme submitted.

#### Impact upon neighbouring residential amenity

- 8.16 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on 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.
- 8.17 There are existing dwellings adjoining the site boundary to its northern and eastern boundaries. Concerns have been raised by local residents regarding the proposal to construct dwellings in line with the existing properties on Powers Road. Plot 14 would involve an L-shaped dwelling which would extend beyond the rear wall of the neighbouring property on Powers Road.

- 8.18 In view of the concerns raised, an amended Site Layout Plan has been submitted showing plot 14 relocated into the site (and so further to the west) to provide at least 12.5 metres between the side of the proposed property and no. 13 Powers Road.
- 8.19 Plot 14 would be angled so that its rear wall extends further away from this boundary and so into the application site. Whilst constructed to two storeys in height, the siting of this plot and its position behind a mature hedgerow would ensure that the dwelling would not have an overbearing impact on the outlook from the neighbouring properties.
- 8.20 Plot 14 does contain two windows along its side elevation with Powers Road. One of these windows would be a secondary window to a bedroom which would be in line with the buildings in Powers Road. The second window would serve a bathroom and so would be obscurely glazed. The intervening distance, retention of the mature hedgerow and siting of the proposed windows would reduce any impact of overlooking onto the properties adjoining the site and would comply with advice in the Council's SPD entitled "The Good Design Guide."
- 8.21 The amended Site Layout Plan also includes the re-siting of Plot 15 which has been handed to ensure the side to side distance with no. 14 Powers Road of at least 12.5 metres. This plot would be in line with the existing dwellings on Powers Road. In view of its siting, intervening distance and retention of the mature hedgerow, the proposal would comply with advice in the Council's SPD entitled "The Good Design Guide."
- 8.22 The layout has been designed to ensure that the properties which back onto the properties along Hinckley Road are sited away from the boundary and so the distance between the proposed properties and the existing properties would exceed the 21 metre distance laid out in the Good Design Guide SPD and the 14 metre distance for side gables onto rear elevations. The rear gardens proposed for the properties would far exceed the minimum length of 7 metres as laid out in the Council's Good Design Guide SPD.
- 8.23 The internal layout of the proposal has been designed to comply with the minimum standards laid out in the Council's Good Design Guide SPD. The use of perimeter blocks ensures that each plot has been designed to minimise the impact of overlooking whilst providing some surveillance over rear gardens, off-street parking provision and areas of open space. Indeed, the layout proposed would assist in providing security and so designing out crime in these areas in accordance with the advice in the Good Design Guide SPD.
- 8.24 The construction of a development would be temporary and would not result in any long terms impacts on amenity. However, by virtue of the scale of development, the proximity to existing residential properties and potential duration of the construction phase, as recommended by the Council's Environmental Health (Pollution) a condition has been included on the outline consent to secure the submission of a Construction Environmental Management Plan for approval prior to construction by the local planning authority to protect the amenities of neighbouring properties and minimise any adverse impacts. A condition has also been imposed on the outline permission for the submission and approval of a construction traffic management plan to protect the amenity of neighbouring properties.
- 8.25 Through the retention of the mature landscaped buffer along the eastern boundary of the site along with the mitigation measures mentioned above, the proposed layout would not have an overbearing impact on the outlook or loss of light from these adjoining properties or a loss of privacy between these properties. Therefore, the proposal would not have a significant adverse impact on the residential amenity of either nearby residential properties or on the future occupiers of the site. The

proposal would therefore be in accordance with Policies DM7 and DM10 of the adopted SADMP.

#### Ecology

- 8.26 Policy DM6 of the adopted SADMP seeks to conserve and enhance features of nature conservation value and retain, buffer or manage favourably such features.
- 8.27 An Ecological Mitigation Plan, Tree Protection Plan and Landscaping Plans have been submitted to support the application.
- 8.28 Leicestershire County Council (Ecology) has assessed the submitted information and raise no objections based on the amended layout and the retention and enhancement of the boundary hedgerows. They confirm that the proposal provides opportunities for ecological enhancement and that the boundary planting comprises of locally native species only. The landscaping plans would be conditioned so that they are fully implemented prior to the occupation of 20% of the dwellings hereby approved.
- 8.29 Therefore, the development would conserve the ecology of the surrounding area and is therefore in accordance with Policy DM6 of the SADMP.

#### Open Space Provision

- 8.30 The Unilateral Undertaking signed as part of the outline permission includes a requirement for 25 dwellings to provide 90m<sup>2</sup> of equipped children's play space and 1500m<sup>2</sup> of casual/informal play spaces along with the provision of play equipment and the maintenance of these areas for a 20 year period.
- 8.31 The layout scheme submitted shows that the open space provision specified above would be provided. Details of the equipped play space have been submitted and are acceptable. The Unilateral Undertaking contains wording to allow either a Management Company or the Borough or Parish Council to maintain this area of land. It is considered that the site layout plan and layout of equipped play space complies with the requirements as laid out in the Council's Open Space and Recreation Study (2016).

#### Highway Safety

- 8.32 Policy DM17 of the SADMP states that all new development should be in accordance with the highway design standards. Policy DM18 ensures that development provides appropriate parking provision.
- 8.33 A detailed access plan showing a new road off Hinckley Road in the location of the existing vehicular access has already been considered and approved under the outline planning permission. The decision notice issued for the outline approval also included conditions to ensure that the access was constructed in accordance with the approved plans prior to the occupation of any of the dwellings approved.
- 8.34 LCC as highway authority has been consulted on the internal layout of the road network proposed and the parking plan proposed. They confirm that the impacts of the development on highway safety would not be unacceptable and when considered cumulatively with other developments, the impacts on the road network would not be severe.
- 8.35 The Highway Authority also confirm that the internal layout of the road network would be suitable for adoption and they recommend that conditions are imposed on any consent granted.
- 8.36 The parking plan shows that the 1 bed houses would have one car parking space and a visitor space shared between two properties. The 2 and 3 bed properties would have at least 2 car parking spaces and the 4 bed properties would have at



least 3 car parking spaces. The Highway Authority has confirmed that the parking provision on the site would be acceptable and has requested that planning conditions are imposed to ensure that the parking and turning areas proposed within the site are laid out and available for use prior to the occupation of each dwelling to comply with the requirements in Policy DM18 of the SADMP.

#### Other Matters

- 8.37 Policy DM7 of the SADMP seeks to ensure that development does not exacerbate or create flooding. As part of the outline planning permission and in accordance with the comments made by Severn Trent Water Ltd and LCC as the Local Lead Flood Authority, drainage details are required to be provided through a condition to ensure that surface water disposal incorporates sustainable urban drainage. It is considered that the development would be in accordance with Policy DM7 of the SADMP.
- 8.38 Policies DM11 and DM13 of the adopted SADMP and Section 16 of the NPPF seek to protect and enhance the historic environment, including archaeology. An Archaeological Evaluation Report has been submitted to support the application. This report includes the results of 7 trial trenches dug across the application site. Evidence provided by the report suggests a negligible archaeological potential for the majority of the site. However, a focus of activity has been found around Trenches 6 and 7, potentially dating to the Anglo-Saxon to medieval periods.
- 8.39 At the request of Leicestershire County Council (Archaeology), a pre-commencement condition was imposed on the outline planning application so that the archaeological remains affected by the proposed development along with appropriate recording could be undertaken. This condition would need to be discharged before any work could commence on site. However, with regards to the layout proposed as part of this reserved matters application, the area around trenches 6 and 7 would be used as public open space and front gardens and so any remains would remain unaffected. Therefore, the proposed layout would accord with Policies DM11 and DM13 of the adopted SADMP and Section 16 of the NPPF (2018).
- 8.40 Outline planning permission has been approved for a residential scheme and a cemetery. This reserved matters submission does not include details of the proposed cemetery. In addition to this, an outline planning application has recently been submitted (21/00581/OUT) for a residential development scheme on the land approved for the cemetery use. This outline application will be determined in due course. However, with regards to this reserved matters submission, clause 9 in the Unilateral Undertaking (UU) provides for the transfer of the cemetery site to the parish council prior to the first occupation of the first dwelling. Whilst details have already been approved for the cemetery as part of a full planning permission, no details have been submitted as part of the reserved matters approval. Therefore, in accordance with clause 9 in the UU, none of the dwellings hereby recommended for approval could be occupied until the cemetery site has been transferred to Barwell Parish Council.

## 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 reserved matters submission is for the comprehensive residential development of the site. Outline planning permission has been approved for this residential scheme which included the detailed consideration of the vehicle access and the number of housing units to be provided. The reserved matters submission does not include details of the proposed cemetery. However, details have already been approved for the cemetery as part of a full planning permission and clause 9 in the Unilateral Undertaking does require the transfer of the cemetery site to Barwell Parish Council prior to the occupation of any of the dwellings recommended for approval.

10.2. The detail of the proposed properties would not have a significant and demonstrable adverse impact when assessed against Policies 6 and 20 of the Core Strategy and Policies DM4 and DM10 of the SADMP. The area including the application site is particularly sensitive as it is one of the narrowest points of the Green Wedge separating Barwell and Hinckley. Whilst the proposed new residential development within the application site would extend built form along the south side of Hinckley Road and into the Green Wedge and further erode the green, undeveloped, narrow physical and perceived gap between the edges of the two settlements, through the design and scale of the proposed housing layout and the landscaping proposed these mitigation measures would reduce the harm to the character and appearance of the area.

10.3. In addition, the proposal would not have any significant adverse impact on residential amenity or on ecology. It is considered that the reserved matters are in accordance with Policies DM6, DM7, DM10, DM11, DM13, DM17 and DM18 of the SADMP. Therefore, the reserved matters are recommended for approval subject to additional conditions.

## **11. Recommendation**

11.1 **Grant planning permission** subject

- 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 in complete accordance with the submitted application details as follows:

Site Location Plan Drw No: 2243/01; House Type Drw No's: 2243/18A; 19/B; 20/C; 21/D; 22/E; 23/F; 24/G; 25/H and 26/L all received by the local planning authority on 5 November 2020.

Detailed Landscape Proposals Drws No: EML FE 1155 01- Rev B; 02 Rev B and 03 Rev B all received by the local planning authority on 29 March 2021.

Site Layout Plan Drw No: 2243/03 Rev J and Play Equipment Drw No: 22663 Rev 1/LE1 received by the local planning authority on 14 June 2021.

**Reason:** To ensure a satisfactory appearance and impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. Prior to the occupation of 20% of the dwellings hereby approved the landscaping scheme as shown on approved Drws no. EML FE 1155 01- Rev B; 02 Rev B and 03 Rev B shall be implemented in full to the satisfaction in writing of the local planning authority. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the local planning authority.

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

3. Each dwelling hereby permitted shall not be occupied until such time as the parking and turning facilities for that dwelling have been implemented in accordance with Drw No: 2243/03 Rev H. 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 in the interests of highway safety and in accordance with Policy DM17 of the SADMP (2016).

4. Any dwellings that are served by private access drives including 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 shall 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 ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policy DM17 of the SADMP (2016).

5. 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.

**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 SADMP (2016).

6. 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 all private accesses 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 SADMP (2016).

7. None of the trees or hedges indicated to be retained on Drws No: EML FE 1155 01-Rev B; 02 Rev B, 03 Rev B and on the Tree Protection Plan shall be cut down, uprooted or destroyed, nor shall they be topped or lopped. The trees and hedgerows to be retained should be protected in accordance with details in the Tree Protection Plan. If any of the trees or hedges to be retained are removed, uprooted or destroyed or dies, a replacement shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time as agreed with the local planning authority.

**Reason:** To ensure that the existing trees and hedges on the site are retained and protected in accordance with Policy DM6 of the SADMP (2016).

8. No works shall take place above finished floor level of any of the dwellings hereby approved until details of the materials to be used on the external elevations of the dwellings hereby permitted have been submitted to the local planning authority for approval in writing. The scheme shall only be implemented in accordance with the 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).

9. No works shall take place above finished floor level of any of the dwellings hereby approved until details of the boundary treatment and fencing details to be provided have been submitted to the local planning authority for their approval in writing. The scheme shall only be implemented in accordance with the approved details.

**Reason:** To ensure that an adequate boundary treatment is provided to safeguard the visual amenities of the area, the amenities of the future occupiers of the dwelling and the occupiers of adjoining properties and in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

### 11.3 Notes to Applicant

1. Great Crested Newts (GCN) are protected under both English and European law. It is an offence to kill, injure, disturb or take GCNs or to damage or destroy their places of shelter, whether the animals are present or not. The development is likely to require a European Protected Species Licence from Natural England in order to proceed. The work is likely to involve exclusion of GCN from specific sections of the development area deemed to have the potential to support newts and terrestrial habitat enhancements such as habitat piles and hibernacula.
2. All species of bat are protected under both English and European law. It is an offence to kill, injure, disturb or take bats, or to damage or destroy their places

of shelter (roosts), whether the animals are present or not. Licences may be issued in respect of disturbance or re-locating a roost site in some cases.

3. The approved development will 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.
4. Rainwater from the detached garage roofs should be positively drained into a suitable water butt, soakaway or domestic drainage system, and not be permitted to discharge directly onto the surface of the application site and neighbouring properties.
5. 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.
6. To erect temporary directional signage you must seek prior approval from the local Highway Authority in the first instance (telephone 0116 305 0001).
7. 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>.