

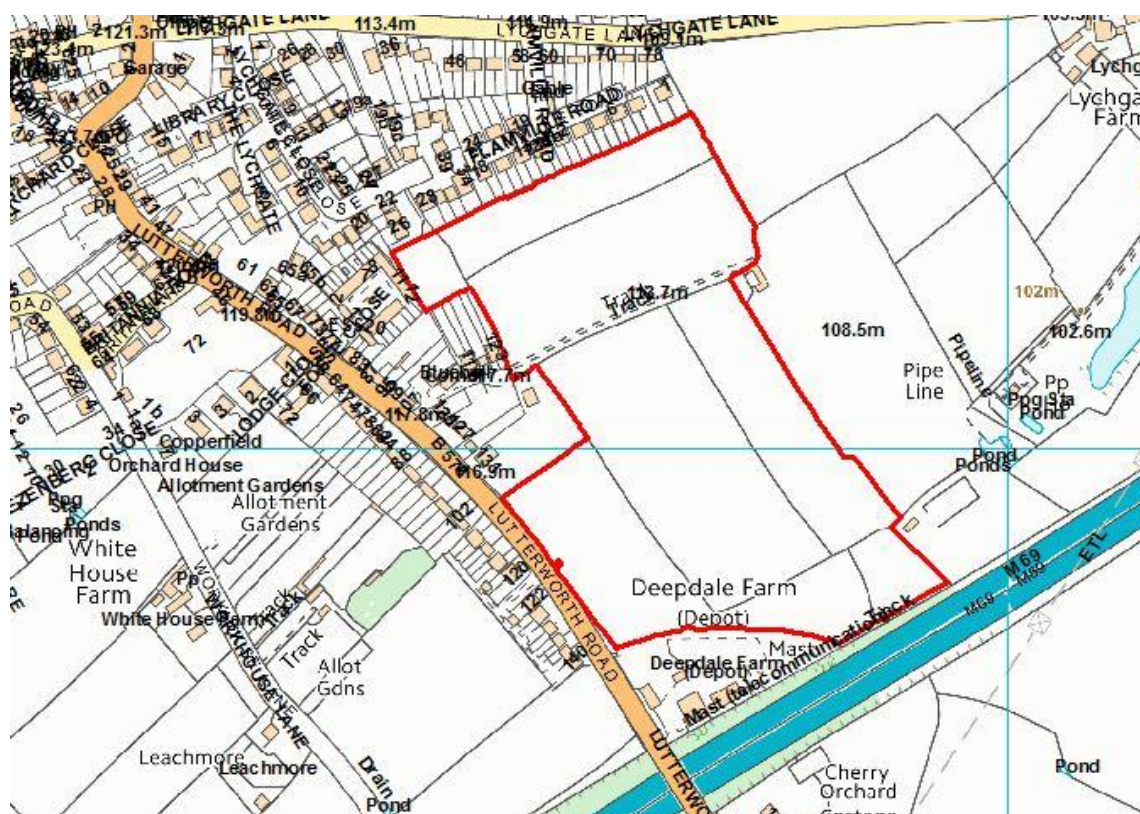


Applicant: Davidsons Homes

Ward: Burbage Sketchley & Stretton

Site: Land north of Deepdale Farm, Lutterworth Road, Burbage

Proposal: Approval of reserved matters (appearance, landscaping, layout and scale) for the erection of 135 dwellings pursuant to Outline Planning Permission 19/01405/OUT. (Appeal ref APP/KR420/W/20/3265143)



1. Recommendations

1.1. Grant permission subject to:

- Planning conditions outlined at the end of this report
- Power to determine the final details of the conditions to be delegated to the Head of Planning

2. Planning Application Description

2.1. This is a reserved matters application for the residential development of 135 dwellings with associated open space and children's play area. This reserved matters application is for the consideration of appearance, landscaping, layout and scale following the approval of outline permission 19/01405/OUT for the erection of up to 135 dwellings at appeal in October 2021.

2.2. The housing mix proposed comprises 108 market properties and 27 affordable homes which are split between 20 affordable rent and 7 shared ownership properties. The mix of housing sizes is as follows:

- 8 x 1 bed
- 32 x 2 bed

- 55 x 3 bed
 - 26 x 4 bed
 - 14 x 5 bed
- 2.3. The application includes areas of open space along the southern boundary, including provision of a play area, retained ridge and furrow and provision of an attenuation basin, and to the northern boundary, including open space and retained ridge and furrow. Further, smaller areas of open space are proposed along the trajectory of the access road (Road 1 and Road 2) running from west to east across the centre of the site. A footpath is proposed to link to the existing footpath at Lychgate Close to the north west of the site together with footpaths around the areas of public open space.
- 2.4. The one-bed properties have one parking space and the two-bed have two parking spaces. Each of the three-bed properties have two parking spaces with some having an additional garage. All the four bed properties have at least 2 parking spaces and a garage with some having more and all the five-bed properties have at least 3 parking spaces and a double garage with some having more. Nearly all dwellings, including all market dwellings, are equipped with an electric vehicle charging point.
- 2.5. The properties are designed to a very high standard and are traditional in nature featuring many details including bay windows, projecting windows, brick detailing, limited use of render, stone or brick headers and cills, chimneys and half timbering. The predominant material is red brick and all properties have pitched tiled roofs. All of the properties would be built to a height of two storeys with two of the five-bed properties having accommodation within the roof space. All garages are brick built with pitched tiled roofs. In total five different red bricks are used for the main elevations with a further two contrasting bricks for detailing and three different render finishes. In total there are 29 different house types across the site.
- 2.6. Boundary treatments comprise 1.8m high close boarded fencing to rear gardens including new fencing to rear boundaries with any adjoining property set slightly in from the existing boundary. 1.8m brick boundaries are provided to key plots that side or front on the highways, with the brick to match the brick used for the corresponding dwelling.
- 2.7. Affordable housing is clustered in two separate areas; both located to the southern end of the site, with one to the south east adjacent to the eastern boundary attenuation basin and the second along the southern boundary facing the public open space and retained ridge and furrow.
- 2.8. The site is accessed from Lutterworth Road (as approved through the outline permission), with five main access roads into the site providing access to the vast majority of the proposed dwellings, A small number (approx. 20%) have access from a shared drive, of which the majority of these are affordable dwellings with parking to be managed through the registered provider. Properties face onto roads, set back with small front gardens and/or parking spaces.

3. Description of the site and surrounding area

- 3.1. The application site comprises six fields of approx. 8.9 hectares adjacent to the southeastern boundary of Burbage. To the north the site is bounded by residential development on Flamville Road and Lychgate Close. To the east the site is bounded by existing hedgerows beyond which is farmland and to the west are dwellings of Lutterworth Road and the road itself. To the south is Deepdale Farm and the M69 motorway. The site is not publicly accessible and there is one public rights of way through the site running from west to east centrally from Lutterworth Road and a short section to the north western most corner of the site from Lychgate Close. Both of these are retained through the proposed layout.
- 3.2. The appeal decision described the landscape of the area as 'separated into smaller fields as a result of existing hedging which lends the site a degree of containment.

The site also contains features identified within the LCA and LSA as well as other enhancing features such as areas of ridge and furrow earthworks. Although the LSA recognises that the M69 is a distracting feature in the landscape which interrupts the flow of pasture fields, the site retains a measure of beauty and its size, relative openness and undeveloped nature forms part of the countryside that contributes towards the rural setting that surrounds Burbage’.

- 3.3. There are no designated or non-designated heritage assets within the vicinity of the site.

4. Relevant Planning History

19/01405/OUT – Residential development of up to 165 dwellings (Outline – access only) (later revised down to 135 dwellings during the course of the application). Allowed at appeal October 2021.

5. Publicity

- 5.1. The application has been publicised by sending out letters to 248 addresses. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. Eight objections, one letter of support and one neutral comment have been received from addresses in Burbage. The following concerns were raised:
- Highway safety impact to Lutterworth Road and Burbage
 - Highway safety impact to Lutterworth road junction with A5
 - Lack of services and facility capacity in Burbage
 - More sensible layout that proposed at outline stage
 - Supportive of revised plans and greater retention of ridge and furrow

6. Consultation

- 6.1. Burbage Parish Council – no objections to the application.

However the Council would like to see improved soft landscaping within the site, together with appropriate planting at the site boundary closest to the motorway, to mitigate sound and air pollution.

- 6.2. Leicestershire County Local Highway Authority (LHA) – 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. Based in the information provided, the development therefore does not conflict with paragraph 111 of the NPPF.

- 6.3. Leicestershire Ecology Team – In principle, this may be acceptable, but will require further information. As far as biodiversity value is concerned, there are the following main changes:

- A significant advantage of the revised layout is that a large area of highest quality LWS grassland, in the northern part, is retained, meaning there is no longer a need to translocate some of this.
- Some good quality potential LWS grassland to the south-west is now showing as being developed for housing and play area, and will therefore needs translocation – and with the loss of existing hedgerow and trees (much of which was being retained in the outline illustrative layout).
- The construction of the SUDS feature in the SE edge, which is on the site of one of the Adder’s-tongue Fern colonies; previously this was shown as retained grassland.
- The development now runs up to the eastern boundary hedge and red-line in the NE (plots 59-65). It is possible that a narrow buffer was being retained (the plan is not clear) , but the illustrative layout showed a good buffer zone that

was part of the open space. This change is likely to impact the post-development condition and health of this important retained hedge. *Officer comment:*

- Further request for a new biodiversity net gain matrix to be provided together with further information in relation to outline conditions 18, 19, 20 and 22.
- *Officer note: This evidence has been received and further comments from LCC Ecology will be provided.*

6.4 HBBC Drainage – No objections.

6.5 LCC Drainage/LLFA – No objections.

6.6 LCC Archaeology – No objections

6.7 We are broadly satisfied with the proposals to retain ridge and furrow in the south of the site, and agree with the need to 'consolidate retained ridge and furrow' outlined in the Design Statement. The Development Control Plan (Ref. No.: GL1199 07) appears to show the retained ridge and furrow, noted as 'POS (Retained Ridge & Furrow)' having a reduced size to that proposed for retention within 22/10022/PREMAJ (DWG No: Burb_100). The Soft Landscaping Proposals (Ref. No.: GL1199 01, GL1199 02) indicate the areas now excluded are to be kept as 'Existing Grassland' or 'relocated to 'Area B''. As in both cases these preserve ridge and furrow we would welcome any clarification on precisely what is intended for both areas, as any loss to the earthworks will be detrimental to the historic environment. We observe that the access road within this area has now been shortened and the area to be stripped and translocated to Area B. It is not clear why this needs to take place given the removal of development within this area. In the case these works are approved we would recommend that the earthwork form for Area A is reinstated through a process of careful turf removal and appropriate topsoil/turf reinstatement. Any translocation will require a level of archaeological investigation. We would also recommend that any loss of ridge and furrow within Area B should avoid the well preserved earthworks within the north-west of the area. The previously recommended archaeological work should include an investigation by trial trenching of the ridge and furrow within the application area, including the headland and furlong boundaries. In addition, topographic survey (e.g. LiDAR survey and interpretation) and photographic recording of the earthwork remains, to offset the loss of ridge and furrow earthworks as a result of development. We would advise that whilst the cultural and social value of these remains to the wider community can't offset their removal, their academic value can be accommodated through the recording proposed, providing partial mitigation of the loss.

6.8 HBBC Conservation – Due to the distance between designated heritage assets, intervening built form and landscape features meaning there is no inter-visibility, and the typical scale of the dwellings that reflects local characteristics, it is considered that the proposal for dwellings on the site would have no affect upon the setting of heritage assets and the impact of the proposal upon designated heritage assets is therefore not a material consideration for this application. It should be noted that the same conclusion was reached by the Inspector in the previously allowed outline approval on the site where the impact upon designated heritage assets was not a matter for consideration within his decision.

6.9 There are ridge and furrow features upon the site and these features are considered to a non-designated heritage asset. The layout of the development attempt to retain these features, although comments from LCC Archaeology should be sought to determine whether this arrangement is satisfactory and will ensure the long-term preservation of these features. If these are acceptable then the proposal will comply with Section 16 of the National Planning Policy Framework (NPPF) (para 203) and

Policies DM11, DM12 and DM13 of the Site Allocations and Development Management Policies DPD.

- 6.10 HBBC Affordable Housing – As this scheme is in an urban area 20% of the dwellings should be for affordable housing. This will require 27 affordable homes. Of these 75% should be for social or affordable rent and 25% for intermediate tenure which would provide 20 properties for rent and 7 for shared ownership. The mix of dwellings types meets the identified housing need and the properties meet the space standards required for the dwellings.
- 6.11 HBBC Environmental Services – Paragraphs 46 and 47 of the appeal decision require both a scheme of protection from noise from the M69 and an investigation into potential land contamination. Both the above assessments have the potential to affect layout and design and I am unable to provide comment on the reserved matters without further information in the form of the conditioned reports.
Officer note: these conditions will require discharging. Any additional information will be provided.
- 6.12 HBBC Waste – No objections subject to a condition
- 6.13 Leicestershire Police – no objections

7. Policy

- 7.1 Core Strategy (2009)
- Policy 4: Development in Burbage
 - Policy 15: Affordable Housing
 - Policy 16: Housing Density, Mix and Design
 - Policy 19: Green Space and Play Provision
 - Policy 20: Green Infrastructure
- 7.2 Site Allocations and Development Management Policies DPD (SADMP) (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM3: Infrastructure and Delivery
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3 Burbage Neighbourhood Plan (BNP) (2021)
- Policy 1 – Settlement Boundary
 - Policy 2 – Design and Layout
 - Policy 4 – Parking
 - Policy 5 – Footpaths and Cycleways
 - Policy 6 – Ridge and Furrow Fields
 - Policy 10 – Landscape Character
 - Policy 11 – Area of Landscape Sensitivity

National Planning Policies and Guidance

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

Other relevant guidance

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

8 Appraisal

8.1 In this instance the principle of development of the site has already been established through the Inspector appointed to hear the public hearing into the refusal of application 19/01405/OUT allowing the appeal. The Burbage Neighbourhood Plan was adopted prior to that decision was made. The proposal is acceptable in principle subject to all other planning matters being satisfactorily addressed. The key issues therefore in the determination of this application are considered to be:

- Design and Impact upon the Character of the Area
- Housing Mix
- Impact upon Residential Amenity
- Impact upon Highway Safety
- Ecology and Biodiversity

Design and Impact Upon the Character of the Area

8.2 Policy DM10 of the SADMP requires development to enhance the character of the surrounding area, appropriate use of building materials, high standards of landscaping, conservation of energy, and that natural surveillance, fire safety measures and the principles of secured by design is maximised. This is also supported through the Borough Council's adopted Good Design Guide 2020. Policy 2 of the BNP requires development to reflect its surroundings and, where appropriate, follow existing pattern of development and retain important natural features on the site such as trees, hedgerows and streams. Further, Policy 11 of the BNP identifies the site within an area of landscape sensitivity where development should:

- a) Seek to avoid development on the higher ridge top area adjacent to the cemetery which forms the immediate rural setting to the historic core of Burbage – and maintain this area as a rural green wedge.
- b) Plan for successful integration of development in the landscape through sensitive design and siting, including use of appropriate materials and landscape mitigation to enhance sense of place.
- c) Seek to retain historic field patterns where distinctive s-shaped or dog-leg boundaries remain.
- d) Retain pattern of hedgerows and hedgerow trees and incorporate further buffer planting to major transport corridors and new development.
- e) Promote opportunities to maintain and enhance the network of rights of way and consider opportunities to create and promote an integrated green infrastructure network around Burbage, Hinckley, Barwell and Earl Shilton urban edge.
- f) Protect localised areas that retain a natural character, notably the small areas of seminatural woodland, plus streams and small waterbodies.

8.3 The site is a greenfield site, which is relatively open. The outline application identified that the development of the site would have an impact upon the immediate area, however the wider impact would be limited, subject to appropriate landscaping and design. The site is located adjacent to the existing built form of Burbage, bordering Lutterworth Road to the west and Flamville Road and Lychgate Close to the north.

8.4 Paragraphs 126 and 130 of the NPPF (2021) states that good design is a key aspect of sustainable development and planning decisions as it creates better places in which to live and work and helps make development acceptable to

communities. Decisions should ensure that development; will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate landscaping, are sympathetic to local character, establish/maintain a strong sense of place and optimise the potential of the site.

- 8.5 The Good Design Guide provides detailed advice to developers on standards that will be expected when delivering new development.
- 8.6 The layout has been amended from the illustrative masterplan considered at outline stage. The area of development in the northernmost field, adjacent to Flamville Road, has been removed, instead with the development sited in a single form to the centre of the site, leaving public open space and retained ridge and furrow to the northern parcel and southern boundary of the site. Two attenuation basins are proposed, to the south eastern corner at the lowest part of the site and the proposal includes the translocation of grasslands from the site to the adjacent field to the east.
- 8.7 The proposed layout includes the approved access from Lutterworth Road with key feature plots facing the access and turning the corner to face on to a small feature area of public open space in front of plots 12-16. A large mix of housetypes and materials are proposed throughout the development.
- 8.8 It is considered that the proposed development is designed to a high standard that accords with the requirements of both policies DM10 of the SADMP and Policy 2 and Policy 11 of the BNP as well as meeting the standards that are set out in the Good Design Guide.

Housing Mix

- 8.9 Policy 16 of the adopted Core Strategy requires a mix of housing types and tenures to be provided on all sites of 10 or more dwellings and a minimum net density of 40 dwellings per hectare within Hinckley, Burbage, Barwell and Earl Shilton.
- 8.10. The site delivers 135 dwellings in accordance with the outline permission and a range of densities across the site. The site equates to an overall low density of 16dph when taking into account the whole red line, however this increases to around 35dph when taking into account the developable area of the site (excluding the areas of public open space and retained ridge and furrow).
- 8.11. The proposal includes a policy compliant provision of 20% affordable housing with a tenure split of 75% affordable rented and 25% shared ownership. The affordable housing mix includes one, two, three and four bedroom properties. This mix has been consulted upon with the Strategic Housing Strategy and Enabling Officer who raises no concerns or objections to the tenure mix proposed.
- 8.12. The combined and then market and affordable mix is set out for comparison purposes below:

Combined

- 8 x 1 bed
- 32 x 2 bed
- 55 x 3 bed
- 26 x 4 bed
- 14 x 5 bed

Market

- 0 x 1 bed proposed
- 23 x 2 bed proposed
- 46 x 3 bed proposed
- 25 x 4 bed proposed
- 14 x 5 bed proposed

Affordable

- 8 x 1 bed proposed
- 9 x 2 bed proposed
- 9 x 3 bed proposed
- 1 x 4 bed proposed
- 0 x 5 bed proposed

8.13. It is considered that whether the mix is looked at on a combined basis or by way of individual tenure type there is a broad mix of properties and tenures. Both combined and for market dwellings only, 3 bed properties are the majority housetype, with this according with the specified housing mix in the Housing and Economic Needs Assessment (HENA). The number of 4 and 5 bed market dwellings (29%) is higher than the HENA but not overly so, with a range of house types provided. The Council's Affordable Housing Officer is satisfied with the mix proposed.

Impact upon Neighbouring Residential Amenity

8.14 Policy DM10 of the SADMP seeks to ensure that development would not have significant adverse effect upon the privacy or amenity of nearby residents and occupiers of adjacent buildings, and the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.

8.15. The Good Design Guide sets out that principal windows to habitable rooms of neighbouring properties should be not less than 21 metres apart, unless they are across a road.

8.16. Residential dwellings border the site on just a single boundary to the north west of the scheme, to Lutterworth Road, with six existing dwellings directly impact by adjacent new development. These six dwellings are themselves new build dwellings located to the rear of 127-135 Lutterworth Road. No objections have been received from any neighbour raising residential amenity concerns. The site layout demonstrates that at least 21 metres is provided between all existing and proposed habitable room windows where any issues of overlooking or loss of privacy may arise.

8.17. The relationship between plot 5 and the southern most new build dwelling is unusual in that this will be located forward and at an angle to each other, with front facing elevations at approx. a 45 degree angle. These plots will be separated by an existing boundary treatment of a fence and hedge and with no overlooking to amenity spaces of each, instead facing front elevation to front elevation, at a distance below 21m but at an approx. 45 degree angle. Car parking spaces are then proposed to the southern side of this existing dwelling under construction with then plots 18 and 19 to the rear / east both set a sufficient distance from the rear elevation.

8.18. All future occupiers are provided with adequate levels of amenity and have gardens that comply with the guidance on garden sizes within the Good Design Guide.

8.19. It is not considered that the development, once completed would have a significant detrimental impact upon any of any existing neighbouring dwellings in terms of any overbearing impact or overlooking. Conditions are included within the outline permission for a construction environmental management plan and limited construction hours which seek to protect existing and proposed residential amenity during the course of the development.

8.20. Therefore, when having regard to layout, scale and appearance of the proposed development, it is not considered that the proposal would have an adverse impact upon residential amenity and would accord with Policy 2 of the BNP and Policy DM10 of the SADMP.

Impact Upon Highway Safety

- 8.21. Policy DM17 of the SADMP requires that applications meet a number of criteria, the most relevant for this application is c) demonstrate that there is not a significant adverse impact upon highway safety. This policy also requires proposals to reflect the highway design standards that are set out in the most up to date guidance, this is the Leicestershire Highways Design Guide.
- 8.22. Policy 4 of the BNP requires that development be designed in a way that provided suitable parking provision.
- 8.23. The point of access into and out of the site was approved at outline stage. The Local Highway Authority has no objections to the detailed internal road layout and confirms that sufficient parking is provided. The detailed changes to the highway layout have been made so that the main internal roads within the site can be adopted.
- 8.24. No objections to the application have been received on highway grounds. During the application, amended plans have been received following comments from the Local Highways Authority. The layout of the spine roads has been designed to incorporate speed control measures and adequate forward visibility.
- 8.25. Subject to conditions, the proposals would not have significant impact on highway safety and in accordance with Policy 4 of the BNP, Policy DM17 of the SADMP and the NPPF.

Ecology and Biodiversity

- 8.26. Policy DM6 of the SADMP states that major development must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long term.
- 8.27. Policy 8 of the BNP seeks to protect local wildlife sites within the Parish (with none on site) and Policy 9 of the BNP seeks to maintain wildlife and green corridors, including species rich hedgerows, with the nearest important hedge located off the site to the north east along Lychgate Lane.
- 8.28. The application has been subject to consultation with the Leicestershire County Council Ecology Team and meetings have been held with LCC Ecology during the course of the application. The applicant has submitted a number of relevant documents during the processing of the application, including a biodiversity metric, biodiversity net gain assessment, ecological mitigation and enhancement strategy and grassland turf translocation methodology and management plan in February 2023.
- 8.29. The proposal results in a net loss of biodiversity units on site as a result of the development, a 22.9% loss in habitat units and 6.51% loss of hedgerow units. As a result the ecological mitigation and enhancement strategy sets out a series of proposal on and off site for mitigation. These include:
- Identification of biodiversity protection zones for protection during construction;
 - Protection of retained trees and hedgerows;
 - New native species hedgerow planting;
 - Enhancement of retained areas of grassland;
 - Permanent wet/damp areas to attenuation basins;
 - New tree and shrub planting;
 - Translocated grasslands to adjacent field to the east;

- Creation of small mammal highways in fences;
- Provision of bat boxes (x13), swift bricks (x30), nest boxes (x27) together with hedgehog houses (x2), habitat piles (x2) and invertebrate / pollinator homes (x2)

8.30 The proposed ecology mitigation measures have been discussed with the LCC Ecology Team. Further comments are awaited and will be reported, with some conditions subject to change.

Other Matters

8.31. Should permission be granted the development would be subject to all conditions attached at outline stage which includes conditions relating to construction hours, a Construction Environmental Management Plan, contamination, surface water drainage, levels, highways visibility splays and access, public rights of way treatment, noise, archaeology, waste and recycling, and broadband.

9 Equality implications

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

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2. Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3. There are no known equality implications arising directly from this development.

9.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and 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 principle of development has been established through the Inspector allowing the appeal regarding the outline planning permission 19/01405/OUT. The appearance, landscaping, scale and layout of the proposed development is considered acceptable in accordance with the national and local planning policy as set out in the NPPF, the SADMP and the BNP.

10.2. The proposed development would not have any significant adverse impact upon highway safety, residential amenity, biodiversity or ecology. The proposal would provide a broad mix of house sizes that is considered reasonable and acceptable. It would retain and improve hedgerows and trees bordering the site and is considered to meet the relevant requirements of the Burbage Neighbourhood Plan

and the Site Allocations and Development Management policies Development Plan Document as well as the Good Design Guide.

11. Recommendation

11.1 Reserved Matters be approved subject to:

- Planning conditions outlined at the end of this report
- Power to determine the final details of the conditions to be delegated to the Head of Planning

11.2 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application drawings as detailed on the Drawing Submitted Schedule

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

2. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Davidsons Drawing No. BURB_100 Rev P01. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies Plan.

3. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with Figure DG17 of the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

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

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

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

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 gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

Reason: To enable a vehicle to stand clear of the highway in order to protect the

free and safe passage of traffic including pedestrians in the public highway and in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the NPPF.

6. No part of the development hereby permitted shall be occupied until such time as site drainage details have been submitted to and approved by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the NPPF.

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

Reason: To enable a vehicle to stand clear of the highway whilst the garage doors are opened/closed, to protect the free and safe passage of traffic including pedestrians in the public highway and to ensure that adequate off street parking provision is available to reduce the possibility of on street parking problems locally in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the NPPF.

8. The development hereby permitted shall be carried out in full accordance with the findings and recommendations contained within the Focus Environmental Consultants Ecological mitigation and enhancement strategy (February 2023) and grassland turf translocation methodology and management plan (November 2022)

Reason: In order to protect badgers and their habitat in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016.

Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
3. If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the

roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email road.adoptions@leics.gov.uk in the first instance.

4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
5. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>