

**Planning Committee 25 April 2023  
Report of the Head of Planning (Development Management)**

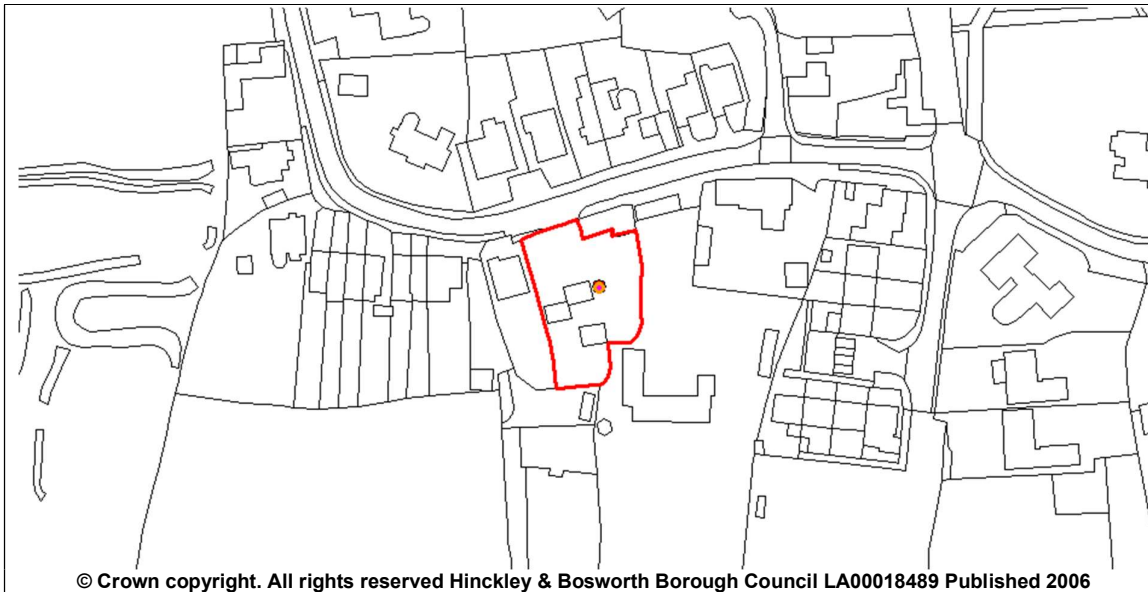
**Planning Ref: 22/01233/FUL  
Applicant: Ms Amy Lawson-Gill  
Ward: Ambien**



Hinckley & Bosworth  
Borough Council

**Site: Houghton House Sheepy Road Sibson**

**Proposal: Demolition of existing outbuildings, refurbishment of a Grade II listed residential property, erection of three dwellings and associated external landscape works.**



**1. Recommendations**

**1.1. Grant planning permission** subject to

- Planning conditions outlined at the end of this report

**2. Background**

- 2.1. An application for the erection of four dwellings was considered by the Committee at its meeting on 5 July 2022. The approved minutes of the meeting stated that *“members expressed concern in relation to the five substandard parking spaces which formed part of the application. It was moved by Councillor J Crooks and seconded by Councillor Hollick that the application be deferred to a future meeting to allow for discussions with the applicant around reducing the proposal to three dwellings to enable sufficient standard parking provision. Upon being put to the vote, the motion was carried and it was unanimously resolved that the application be deferred for further discussion with the applicant.*
- 2.2. Those discussions took place, but the car parking spaces were widened to the required standards without the number of dwellings being reduced. The application was then refused by the Committee at its meeting on 27 September 2022.

### **3. Planning Application Description**

- 3.1. The application relates to the demolition of existing outbuildings on the site, the refurbishment of the Grade II listed Houghton House, the erection of three dwellings and associated external landscape works.
- 3.2. The proposed new dwellings are arranged such that Plot 1 is to the rear of Houghton House, Plot 2 lies to the west of Plot 1 and to the rear of Plot 3 which is on the road frontage. Each proposed dwelling has is to be constructed of red brick of varying tones laid in a decorative bond and clay roof tiles. Other consistent detailing to each dwelling includes ridge chimney stacks, brick dentil eaves courses, segmental arches and soldier courses for window and door headers, canted brick window cills, recessed front doors entrances for units 2 and 3, simple casement windows, vertical planked doors for front facing elevations and bi-fold doors to the rear elevations.
- 3.3. The dwelling on Plot 1 has three bedrooms and those on Plots 2 and 3 each have two bedrooms. Garden sizes range between 79.3 and 107.8 square metres.
- 3.4. Proposed new dwelling unit 1 is located to the back of a courtyard parking area at the rear of the House in the south-eastern corner of the site. The proposed dwelling has an L-shaped plan consisting of two ranges with dual pitched roofs and end gables. It is one and a half storey in scale with hipped roof dormer windows to the courtyard facing elevations and roof lights to the side (eastern) elevation.
- 3.5. Proposed new dwelling unit 2 is also located to the back of the courtyard parking area to the rear of the House in the south-western corner of the site. It has a rectangular plan with projecting rear gable and dual pitched roofs. It is two storey in scale with eyebrow dormer windows to the front (courtyard facing) elevation and hipped roof dormer windows to the rear (southern) elevation.
- 3.6. Proposed new dwelling unit 3 is located towards the front of the site and in between Houghton House and Kingford House, flanking the courtyard access. It has a rectangular plan with projecting rear gable and dual pitched roofs. It is two storey in scale with eyebrow dormer windows to the front (street facing) elevation and hipped roof dormer windows to the rear (southern) elevation. The unit is set back slightly behind a small front garden and the retained grass verge and historic wall fronting the application site. To the side of the unit to Kingford House a high brick wall with saddleback coping is proposed.
- 3.7. Existing boundary treatments around the eastern, southern and western boundaries of the site are to be retained, with the block wall attached to Houghton House along the eastern boundary to be faced in brick. Boundary treatments within the interior of the site to divide each plot comprise low brick walls with high vertical timber louvre dividers. Notwithstanding these details a condition is attached regarding the submission of details given that the site lies within the Sibson Conservation Area and includes Houghton House, a Grade II Listed Building.
- 3.8. Proposed external alterations to Houghton House include but are not limited to the re-formation of the former front elevation entrance door, formation of a new external door to the rear elevation, the repair or replacement of existing windows and doors, the alteration of unsympathetic/unsuitable windows and doors, repair, re-pointing or replacement where necessary of bricks, tiles, render and mortar, and the extension of the chimney stack. Internal works predominantly consist of re-plastering exposed brick walls in a number of rooms in addition to a small number of other minor renovation works.

- 3.9. The associated application for Listed Building Consent (22/01234/LBC) will be dealt with under delegated powers following determination of this application.
- 3.10. For clarity the following are some of the key differences between the application that was refused and the current scheme:
- The red line boundary has been amended to exclude the grass verges save for the works to the verges that are required to incorporate the 6m radii required by the Local Highway Authority, the dropped kerb and bound surface to the initial 5m length of driveway. No new path is proposed to the proposed new dwelling on the frontage which will now have a path behind the existing wall to the shared access, thereby retaining the grass verge at this point in its entirety.
  - Each of the dwellings is now detached with a gap between Units 1 and 2 to the rear of the site allowing glimpsed views beyond the site to the south.
  - The contemporary design of the dwellings to the rear of the site has been replaced with a more traditional approach with Unit 2 having the same eyebrow dormer features as the new dwelling on the street frontage.
  - All parking spaces are now designed to the minimum requirements of the Highway Authority as set out in Part 3 of the Leicestershire Highway Design Guide at paragraph 3.165, namely 2.4m by 5.5m with an extra 0.5m provided where one side is bounded by a wall or fence and an extra 1m provided where both sides are bounded – as in the case of the parking to plots 2 and 3.
  - The number of dwellings has reduced from four to three and the amount of floorspace proposed has been reduced by approximately 9sq.m.
  - The heritage lamppost lies outside of the site boundary and a condition is attached requiring its relocation should it be within the kerb radii required by the County Highway Authority.

#### **4. Description of the Site and Surrounding Area**

- 4.1. Houghton House is sited on the road frontage (grass verge), and is a two storey, detached cottage with a small outbuilding abutting its eastern gable. There was previously a two-storey gable to the rear (south) elevation with an attached range of single storey brick and tile outbuildings with pitched roof that extended along the east boundary. These ranges have been removed as part of the implementation of permissions reference 14/00541/HOU and 14/00542/LBC. There are a number of other detached outbuildings located to the rear along the west and (part) south boundary, constructed of a variety of materials including brick, timber and metal sheeting used for purposes ancillary to the dwelling.
- 4.2. Houghton House is a Grade II listed building located on the south side of Sheepy Road. The majority of the site, save for the rear gardens of plots 2 and 3 and a small part of the dwellings on these two plots lies within the Sibson Conservation Area. The listing description states:
- 4.3. "House. Late C17, refronted mid C18 and late C18. Timber framed with red brick facing. Plain tile roof with large ridge stack and single gable stack. Original lobby entry plan. Exterior. 2 storey, 3 window street front. 2 window section to right fronted mid C18 with two 3-light wooden casement windows and above two 3-light casements with leaded lights which project above the eaves with eye-brow dormer roofs. Single window section to left fronted late C18 with large 3-light cross casement and above another 3-light casement with leaded lights and eye-brow dormer roof. Right return wall rendered over timber framing has single casement window."

- 4.4. The site lies within the built-up area of Sibson and within the settlement boundary as set out in the revised Sheepy Neighbourhood Plan, which was adopted in May 2022.
- 4.5. The site is bounded by residential development with elevated dwellings opposite the site, 25 Sheepy Road set back considerably from the road frontage and which lies to the south and east of the site with a small outbuilding directly adjacent to Houghton House on the road frontage on the one side and Kingsford House, a relatively new dwelling on the other.
- 4.6. Sibson is a rural hamlet as set out in the Sheepy Neighbourhood Plan and the Council's Site Allocations and Development Management Policies Development Plan Document (SADMP). At paragraph 9.1 it states that "*significant residential growth in these areas would be considered unsustainable and would lead to additional car journeys to service centres*". The Sheepy Neighbourhood Plan also though refers to Sibson as a village. Both terms are used in the report.

## **5. Relevant Planning History**

### **21/01501/FUL**

- Demolition of existing outbuildings, refurbishment of a Grade II listed residential property, erection of four dwellings and associated external landscape works
- Refused - October 2022 on two grounds – overdevelopment of the site and additional traffic detrimental to the conservation area

### **14/00541/HOU**

- Extensions and alterations to dwelling – Approved September 2014

## **6. Publicity**

- 6.1. The application and revised plans have been publicised by sending out letters to the occupiers of 29 neighbouring properties. A site notice was also posted within the vicinity of the site and a notice published in the local press.
- 6.2. Multiple objections have been received from the occupiers of 20 different addresses regarding the scheme. The comments are summarised below:
  - The scale of the proposal is still, despite slight improvements from the previous proposals, contrived overdevelopment of the site. Infill development, which is appropriate, means a single dwelling on the frontage that fills a gap in the street scene – filling the site is not infill.
  - The proposed condition regarding drainage is inadequate and does not deal with flood risk on the site. The drainage report submitted relies on false information and there is no guarantee that the envisaged run-off rates can be provided. There is already a problem with flooding and this development will inevitably increase that risk.
  - Huntingdon House, Vine Cottage, Glenfield Cottage and Nos. 1 to 8 The Long Row, are subject to flooding during periods of heavy precipitation. The proposed development will add extra pressure on these systems and in particular the hard surfaced forecourt parking will clearly increase surface water run-off. This issue needs to be addressed before or as an integral part of this development.

- The development would exacerbate the existing problem of foul sewage being discharged into the River Tweed at the Shenton pumping station which already has an unacceptable effect on the environment.
- Severn Trent have a duty to allow connection into the public foul sewer but can restrict the surface water discharge if there is a capacity problem, which they have said they would do, restricting it to 1 litre per second. Although they are not a statutory consultee they have said they would support a decision to refuse consent given that the sewer has to frequently discharge into the river.
- Neighbours fully support and desperately wish to see the refurbishment of the Listed Houghton House but this still overdevelopment of the site.
- Sibson has no public transport or shopping and as such the development of three additional dwellings is not sustainable.
- Inevitably each family will have at least two motor vehicles and is likely to have more given the rural location with no shops in the hamlet. Two spaces are tandem parking which will inevitably lead to cars being parked on the grass verge or elsewhere on the highway which is already heavily parked and which already causes highway safety problems. There are no visitor spaces and no space for delivery drivers. There are blind people in the village and walking through the hamlet in a safe manner will be significantly reduced for them and will reduce their limited independence.
- The Chartered Institute of Highways and Transportation has stated that tandem parking spaces are often under-utilised by households with two or more cars in regular use. The tandem spaces are squeezed in and contrived and are unlikely to be used.
- Sibson has a unique problem due to the location of farms at either end of the hamlet requiring easy travel of agricultural vehicles through the hamlet.
- Sheepy Road through the village is the only viable access between Poplar and Manor Farms and is used by large farm machinery creating road safety issues; this development will exacerbate an already poor situation.
- This is overdevelopment. Too many properties in too small a space are proposed. The contrived parking spaces for plot 1 confirm that this is overdevelopment. The fact that planning officers feel it necessary to remove permitted development rights proves that this is overdevelopment. The overdevelopment will lead to unacceptable noise and loss of amenity.
- The houses have been made bigger and there is now more development than the previous scheme for four additional dwellings – when the Committee requested fewer dwellings on the site, it meant that site needed less development not more. The previous application was refused as it represented overdevelopment of the site, with more floorspace how can this application not be considered overdevelopment.

*Officer response: The agent has confirmed that a reduction in the amount of floorspace proposed of approximately 9 square metres is now achieved.*

- If permission is granted it should be built with quality materials and in the local vernacular of the beautiful characterful period buildings Sibson prides itself on.
- We feel the planning office should be more concerned with the improvement and restoration of the existing building of Houghton House. A building of immense character and importance to the hamlet. We have no objection to it being sympathetically restored; in fact we actively welcome it. It is not the job of the Council or conservation officer to generate funds to renovate Houghton House.
- This will have a significant detrimental effect on neighbours in terms of overlooking, loss of privacy, noise and will be overbearing – for example the two storey walls so close to The Den.
- Increased hardstandings will add to surface water run-off and exacerbate known flood risk in lower area of the hamlet. It is well known locally that this part of the hamlet has underlying clay which will not absorb surface water run-off. The ability to deal with surface water run-off should be confirmed by the Applicant before a decision is made on the application.
- Additional load to existing sewerage and services with related risks to future functioning and resilience. Issues highlighted on the previous application have not been addressed.
- The housing needs of the parish have already been met.
- The proposed fences are ugly and not appropriate in a conservation area or adjacent to a Listed building.
- The development is contrary to policies S6, S7, S8 and S15 of the Sheepy Neighbourhood Plan and policies DM1, DM3, DM6, DM7, DM10, DM11, DM12, DM17 and DM18 of the SADMP, policy 13 of the Core Strategy, Chapter 16 of the NPPF and the statutory duties of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Unit 1 to the rear of Houghton House is too big and has a detrimental effect on the Listed building and should be reduced in height.
- The heritage lamppost should be retained so that the flow of heritage lighting through the centre of the hamlet is retained.
- The heritage wall at the front should be retained and not replaced by something new.
- Houghton House should be required to be refurbished before any new development takes place.
- Kingsford House was built prior to Sibson getting conservation area status and should not be used as a reason to allow poorly designed dwellings that do not meet the high design quality that is now required.
- Bin collection has not been considered – on bin day it will be difficult or impossible to gain access – thereby creating significant highway safety problems.

- Swift bricks need to be incorporated to address wildlife concerns.
- The rear garden to Plot 2 is overlooked by neighbouring habitable room windows.

6.3. In addition, Cllr Collett, ward member for Ambien, has written to object to the application on the following grounds:

- the development increases flood risk
- the development is too dense and fails to conserve the unique character and heritage of Sibson
- there is insufficient parking, and this will inevitably create more on-street parking which will be a problem given the large agricultural vehicles passing through the village and two partially sighted residents living nearby

## **7. Consultation**

7.1. Sheepy Parish Council – Objects to the application on the following grounds:

The Parish Council remains keen to see the refurbishment of Houghton House, the re-development of the outbuildings and landscaping of a design and style that is of a scale and character that is appropriate to the rural village setting. The site has been an eyesore for many years and the Parish Council is keen to see Houghton House restored and the site brought back into active use. However, any refurbishment and re-development must comply fully with the policies of both the Sheepy Parish Neighbourhood Plan and the Sibson Village Conservation Area Management Plan.

Having reviewed the planning application and listed building consent application, the Parish Council believes the current proposals for the site, as amended, do not meet these objectives and it wishes to object to the planning application. Despite the amendments made to the planning application, there remain a number of significant concerns for the Parish Council, and these are outlined below:

Whilst the Parish Council is pleased to see that the number of new proposed dwellings has been reduced from four to three, the reconfiguration of the site has increased the overall scale of the development (buildings) and hard standing (parking area/driveway) to the degree that this and its layout does not complement or enhance the character of the surrounding area. A continuing concern is the relationship between Plot 1 and The Den (adjacent property) despite the proposed location of Plot 1 being moved slightly away from the boundary. This particularly relates to the loss of light (amenity) to the existing home (The Den). The re-location of Plot 1 also has serious implications for vehicle movement within the development and parking. The diagram showing the parking and swept path analysis for accessing the parking spaces for Plot 1 appears to be highly impractical and requires the manoeuvring of vehicles in an unsafe manner, i.e. very close proximity to building walls and garden of adjacent property. Consequently, the Parish Council consider the development as now proposed is over-development and therefore in contravention of Sheepy Neighbourhood Plan Policy S8 – Design, and HBBC DPD Policy DM10.

The Parish Council continues to have serious concerns about the potential for the development to increase the risk of flooding of nearby properties (e.g. Long Row cottages) situated at a lower elevation to the proposed development. The properties in Long Row and nearby have historically suffered flooding as a result of surface

water and highway runoff and the culverted drainage network being overwhelmed. Whilst some remedial work was previously undertaken 20 years ago by HBBC, there have subsequently been a number of flooding events and near misses. This location in the village has been designated as being at risk of flooding on the latest Environment Agency flood maps. The concern of residents is so great that they have invested in their own pumps and sandbags to manage water flows when flooding is imminent.

The Sheepy Neighbourhood Plan Policy S6 on Water Management states that “*New development should take full account of flood risk especially from rivers, groundwater and overland flow*”. The Parish Council is pleased to see that the applicant has, in its most recent planning application, given consideration to the surface water management issue. However, it was very concerned about the extremely late provision of this information during the previous statutory consultation period and no mention of it has been made in the most recently amended application.

Having reviewed the drainage report, the Parish Council acknowledges that the applicant has attempted to mitigate the additional potential flood risk arising from the site and potential development, and indeed is proposing a betterment of the current situation. This is to be welcomed if it can be achieved. However, the Parish Council has identified a number of errors and/or design flaws in the report that would result in the development not being able to achieve its stated objectives and as a result the Parish Council’s objection remains. The Parish Council is also aware that the Borough Council’s (HBBC) drainage consultant has also commented on the specific concerns raised by the Parish Council (as described below).

The document indicates that all stormwater (runoff) upstream of the proposed Hydrobrake will be routed to and contained in a cellular crate attenuation system with sufficient capacity for a 1 in a 100y storm plus 40% for climate change. However, the drainage strategy plan (Appendix F) shows that runoff from a significant part of the site (Plot 3 and its associated hard standing (parking area)) will not be discharged into the crates but will flow directly towards the Hydrobrake discharge point. As a result, the risk of flooding is increased as it is unlikely that there will be sufficient storage capacity in the underground pipework as currently configured. The Parish Council notes that the HBBC Drainage Consultant indicates that he is satisfied that the sub-surface pipework capacity associated with Plot 3 and its parking area is sufficient, and that water will ‘back up’ to the storage crate. It is considered that this is not good practice; it is not the same as routing the drainage into the storage crate as is stated. Further, without a topographical survey, the Parish Council is not confident that the design will mitigate the risk of surface water flooding during periods of heavy and prolonged rainfall across the site.

A further concern is that the proposal is for the initial (sloping) access to the site to be served by road gullies at the highway boundary to capture runoff from the development, thereby preventing it from discharging into the public highway of Sheepy Road. This element of the design is not shown on the drainage strategy plan and there is no description of where this water will be routed in the drainage report. There is a significant slope from the site towards the highways and hence a significant volume of water that requires management during rainfall events. It is noted that the response from Leicestershire County Council (LCC) Highways Department also raises concerns about site drainage and requires prohibition of runoff from the site draining into the Public Highway and its drainage system. It is therefore unclear how this will be avoided. It is noted that the HBBC Drainage Consultant also comments on this and refers to LCC Highways needing to advise on this. The Parish Council believes it is essential that this is actioned and LCC



Highways are specifically asked to comment on this aspect before the planning application is determined, as their previous comments were submitted before the drainage report was available.

The reliance on the results from the 'Storage Estimation Tool' to estimate the surface water storage requirements is also a significant shortcoming. The report included in Appendix E clearly states that it should not be used for detailed design of drainage systems and that hydraulic modelling (software) should be used before finalising the drainage scheme. We note that the HBBC Drainage Consultant agrees with this latter point. Again, the absence of a topographic survey is also a significant weakness. An additional issue is the underestimation of impermeable area used in the calculations; a review of the plans indicates it to be significantly greater than that used in the calculations, i.e. closer to 68% (0.8 ha) rather than the 53% (0.638 ha) used by the applicant.

The Parish Council is therefore not satisfied that adequate account is being taken of surface water management and flood risk, and the application remains non-compliant with its Neighbourhood Plan Policy S6. We are aware that this issue has also been raised by a large number of parishioners and so clearly reflects the genuine and serious level of concern on this matter.

The Parish Council, following previous comments, is pleased to see that the red line boundary at the front of the site has been modified so as to exclude the County Council-owned grass verge frontage. This along with the red brick wall are identified as character features in the village (Neighbourhood Plan Design Guide and Sibson Conservation Areas Management Plan. To address continuing concerns from local parishioners and businesses about on-street parking, consideration should be given (by the Highways Authority) to the introduction of parking restrictions, e.g. double yellow lines, along the length of the grass verge in front of the property to increase road safety and restrict dangerous on-street parking.

- 7.2. LCC Highways – Confirm that there are no objections and that an appropriate level of car parking has been provided in respect of each plot in accordance with Part 3, Paragraph 3.173 and 3.188 of the Leicestershire Highway Design Guide. Turning provision is also considered to be satisfactory. Conditions are requested related to implementation of parking and turning facilities, provision of visibility splays, removal of permitted development rights and no obstructions of the vehicular access.
- 7.3. HBBC Environmental Services (Pollution) – No objection subject to a condition restricting construction hours during the site preparation and construction phase.
- 7.4. HBBC Conservation Officer - It is considered that the removal of the incongruous outbuildings within the immediate setting of the listed building, and the implementation of a sympathetic range of alterations to Houghton House in accordance with a detailed schedule of works and further details to be provided via condition, will preserve and enhance the special architectural and historic interest of the listed building and enhance the significance of the Sibson Conservation Area. The proposed new dwellings and their associated courtyard, landscaping and boundary treatments would be of a satisfactory scale, layout, density, mass and design, and constructed largely of traditional materials. The proposal would therefore preserve the significance of the Sibson Conservation Area and be compatible with the significance of the grade II listed building Houghton House and its setting, so consequently it would comply with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 7.5. HBBC Waste Management – The submitted refuse and recycling drawing shows acceptable placement for the waste collection service. There needs to be sufficient space to collect up to 2 bins per property on collection day and still allow safe vehicular access.
- 7.6. HBBC Drainage – No objection subject to a condition relating to submission of surface water drainage details, incorporating sustainable drainage principles (SuDS).

## **8. Policy**

- 8.1. Sheepy Parish Neighbourhood Plan 2018-2036 (2022)
- Policy S6: Water Management
  - Policy S7: Local Heritage Assets
  - Policy S8: Design
  - Policy S15: Car Parking and New Housing Development
- 8.2. Core Strategy (2009)
- Policy 13: Rural Hamlets
  - Policy 16: Housing Density, Mix and Design
- 8.3. 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 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
- 8.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)
  - Planning Practice Guidance (PPG)
- 8.5. Other relevant guidance
- Good Design Guide (2020)
  - Leicestershire Highways Design Guide
  - National Design Guide (2019)

## **9. Appraisal**

- 9.1. It is considered that the key issues in the determination of this application are as follows:
- Assessment Against Strategic Planning Policies
  - Site Context and Significance
  - Design and Impact upon the Character of the Conservation Area and the Setting of a Listed Building
  - Impact upon Residential Amenity
  - Impact upon Highway Safety
  - Drainage

- Planning Balance

#### Assessment Against Strategic Planning Policies

- 9.2. 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 Site Allocations and Development Management Policies DPD (2016).
- 9.3. 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. Sibson is identified as a Rural Hamlet within Policy 13 of the Core Strategy. Due to the limited services in these rural hamlets, development will be confined to infill housing development. A mix of housing types and tenures as detailed in Policy 15 and Policy 16 as well as supporting development that meets Local Needs as set out in Policy 17 should be delivered.
- 9.4. The most recent housing land monitoring statement for the period 2021-2022 indicates that the Council has a housing land supply of 4.89 years, which falls short of the Government requirement that all Councils have a minimum housing land supply of at least 5 years.
- 9.5. Therefore, paragraph 11(d) of the NPPF is triggered and permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is a material consideration to weigh in the context of the statutory requirement to determine applications and appeals in accordance with the Development Plan unless considerations indicate otherwise. The provision of four dwellings contributes to the Council's requirements to demonstrate the delivery of new homes and is considered a significant benefit of the proposal.
- 9.6. This 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.
- 9.7. Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) sets 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.
- 9.8. It is not considered that the development of the site for three additional dwellings represents significant residential growth that would be considered unsustainable given the location of the site is within the settlement boundary of Sibson and that the development is considered to be infill development within the hamlet. The argument made by objectors that infill is limited to dwellings on the road frontage only is rejected. This type of development is supported by Policy 13 of the Core Strategy and as such the proposal would be in accordance with adopted strategic

planning policies and the principle of development is acceptable. This is subject to all other material considerations being satisfactorily addressed.

#### Site Context and Significance

- 9.9. The character of Sibson and its designated conservation area is primarily derived from the agricultural origins of the settlement. This is defined within the Sibson Conservation Area Appraisal (SCAA) (2008). The SCAA describes Houghton House as a fine traditional farm complex, however whilst subsequent investigation identifies that it was unlikely that the House was ever a farmhouse, it was used for as agricultural labourers' cottages and does therefore reflect the predominant character of the hamlet. Overall, it is considered that due to its special architectural and historic interest Houghton House makes a positive contribution to the significance of the conservation area and there is an opportunity for its contribution to the increased via the implementation of the proposed external alterations that would enhance its character and appearance.
- 9.10. The remaining outbuildings on the site were originally constructed during the middle half of the 20<sup>th</sup> century and have been subsequently adapted. They are of some very limited historical merit in terms of the evolution of the occupation and use of the Houghton House. However due to their current poor condition and appearance it is considered that the outbuildings make a negative contribution to the significance of the conservation area and are a negative presence within the setting of Houghton House.
- 9.11. The remainder of the site consists of a lawned area adjacent to Sheepy Road and Kingford House, set behind a grass verge and low level brick wall which appears to be a remnant of a historic boundary treatment, and a courtyard utilised for the parking of the vehicles. The western section of the site and the courtyard are open in character which allows for good visibility of the curtilage of Houghton House from Sheepy Road. The SCAA identifies a view to be protected looking into the interior of the site from the site access on Sheepy Road. The reason for the identification of the view within the SCAA is not explained and given that the view focuses on the incongruous outbuildings and does not extend out beyond the interior of the site into the countryside, the importance of this view and its contribution to the significance of the conservation area is unclear. The grass verge fronting Houghton House is identified as part of a key space within the conservation area and is now excluded from the red line boundary and no works are now proposed to this area by the application other than some widening of the access to meet Local Highway Authority safety requirements.
- 9.12. The SCAA identifies a number of characteristics within the conservation area that are of relevance to this proposal. The village townscape varies in character, with the character of the village around the application site being a mix of traditional buildings interspersed with modern dwellings ranging from single storey properties to modern period estate houses. These modern properties have been constructed on important gap sites throughout the village. The area to the west of Houghton House, including two short terraces (known as Long Row) is described as the most attractive part of the Sibson Conservation Area. The synergy in scale, form and appearance of Houghton House and Long Row is clearly apparent in the street scene when looking westwards along Sheepy Road, although the uncharacteristic scale, design and materials of Kingford House in between the historic dwellings is clearly apparent in such views. It is noted that Kingsford House was built before the designation of the Sibson Conservation Area.

- 9.13. In terms of building style, scale and detail with the exception of the key buildings at the eastern end of the village all properties are between one and a half and two storeys in scale. Traditional estate cottages are set on or near the back edge of the road, sometimes separated by a short front garden or grass verge. Cottages are gabled with prominent ridge top chimneys. Clay roof tiles with plain ridges are the predominant roof material. Elevations are generally plain broken only by an occasional porch. The widespread use of red brickwork of various tones provides a continuity of appearance throughout the conservation area. Eaves profiles include dentil courses, decorated bargeboards, gablets, and eyebrow windows, the latter being a distinctive feature of the Gopsall estate. Windows are generally timber and are vertically proportioned or sit beneath segmental brick arches. Where gardens front directly onto the street, walls of local brick, often with saddleback copings are the common feature, which also help to channel views and provide a strong sense of enclosure.

Design and Impact upon the Character of the Conservation Area and the Setting of a Listed Building

- 9.14. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building. Development proposals should ensure the significance of a conservation area is preserved and enhanced. Policy DM12 requires all development proposals to accord with Policy DM10: Development and Design.
- 9.15. The Sheepy Neighbourhood Plan (2021) provides guidance to ensure new development respects the prevailing character of the different parts of the Parish, including Sibson. Policy S8 guides design.

Impact upon the significance of heritage assets

*Demolition of outbuildings*

- 9.16. The remaining single storey outbuildings on the application site have some very limited historical merit in terms of the evolution of the occupation and use of the Houghton House. However, they are later additions to the setting of the main building and by virtue of their current poor condition and appearance it is considered that their demolition will not result in the loss of significant architectural

or historic features and subject to the recording that has been supplied in the submitted documentation, their demolition is considered to be justified and therefore acceptable. The detached buildings are of an incongruous appearance and of little merit in terms of historical significance that their demolition will have a positive impact on the setting of the listed building and the character and appearance of the conservation area.

*Works to listed building*

- 9.17. In respect of the front elevation, the windows are proposed to be restored to their earlier configuration and the front door re-instated within the existing opening and the dentilled eaves brickwork to the front elevations re-exposed. It is considered that the proposed changes will have a positive impact upon this prominent front elevation of the building and will enhance the special architectural and historical interest of it, as well as positively impacting upon the character and appearance of the conservation area. The proposed alterations, repair or replacement of windows and doors on the other elevations will not result in the loss of any significant architectural or historical features and therefore are also considered to be acceptable. The extension to the chimney stack, construction of the brick boundary wall to the east site boundary, repair, re-pointing or replacement where necessary of bricks, tiles, render and mortar will not result in any unnecessary loss of salvageable architectural or historical fabric and will improve the stability and long-term viability of the listed building and is therefore acceptable.
- 9.18. The reinstatement of a lime plaster finish to the internal walls alongside other minor renovation works will result in an enhancement to the significance of the listed building and is therefore acceptable.
- 9.19. A detailed and comprehensive scheme of works has been submitted within the Remaining Schedule of Works document in addition to the Appendices of this document providing a general approach and specification for the repair or replacement of timber windows, repointing brickwork, preserving historic plaster, and internal lime plastering. Any works should be carried out in accordance with these details to ensure that the significance of the listed building is preserved. For any new and replacement windows and doors details including their appearance, dimensions and construction materials should be submitted and approved in writing prior to their installation to ensure that the significance of the listed building and conservation area is preserved and enhanced. A simple elevational and sectional drawing for the windows and doors is recommended.
- 9.20. To ensure that the desired external and internal alterations and renovations to the listed building are implemented it is requested that a suitably worded planning condition is placed on any subsequent approval of the proposed new dwellings within the setting of Houghton House to tie the enhancements to the listed building to the implementation of that development.

*New dwellings within the conservation area and setting of the listed building*

- 9.21. The design of each new dwelling is considered to follow and respect the traditional characteristics of building styles, scales and detailing as set out within the Sibson Conservation Area Appraisal.
- 9.22. The proposed new dwellings would be of an appropriate one and a half storey height with eaves and ridge levels that respect scale of surrounding development. The siting of unit 3 towards the front of the site, in addition to its flanking high

boundary wall, follows the traditional layout in the Conservation Area by introducing development towards the back edge of the road and providing a stronger sense of enclosure to the street scene. Units 1 and 2 are located towards the back of the site, but in a similar position to the outbuildings that have been and are proposed to be demolished. The existing courtyard character of the site would remain evident through the retention of central access point to the courtyard and layout of development to the rear around it.

- 9.23. Each dwelling follows traditional characteristics and architectural detailing with eyebrow dormers, ridge chimneys, segmental arches, canted eaves, and dentil eaves course. Proposed construction materials for the new dwellings respects the materials of the local area through the use of red brick of varying tones laid in an attractive bond and clay tile roofs. Notwithstanding the information contained within the application form, design and access statement and elevational drawings it is suggested that samples and/or details of the materials to be used for the construction of the new dwellings (the walls, roof, windows and doors, windows cill and header treatments, and rainwater goods) are submitted and approved prior to the commencement of the development (or once above foundation level) if it is approved, to ensure that the significance of the conservation area and adjacent listed building is preserved.
- 9.24. The proposed erection of a brick boundary wall with saddleback copings to the side of unit 3 would reinstate a traditional feature to the site frontage. The proposed louvred boundary treatments for internal fencing to divide the gardens for the units is a contemporary styled fence treatment but again it is not necessarily uncharacteristic. Although the majority of the extent of the grass verge and historic wall fronting unit 3 would be retained through the proposal, there would be a small loss of these features through the creation of a path to the front door of the unit, so consideration could be given to locating the path to the front door from the courtyard access so the wall and verge could be retained in their entirety.
- 9.25. To ensure that the application site retains its design quality, and the site is not overly domesticated with paraphernalia which may have an adverse impact upon the amenity and character of the area including the conservation area, it is recommended that permitted development rights for development within the curtilage of the new dwellings is removed via a condition if the application is to be approved. This is particularly relevant for unit 3 given its presence in the street scene.
- 9.26. For the above reasons, and subject to planning conditions, the proposed works within the setting of the Grade II Listed Houghton House are considered to be sympathetic to its architectural and historic interest. The removal of the outbuildings on the site would enhance the character of the conservation and setting of the listed building. The new dwellings would be of an appropriate scale, layout, density, mass and design and be constructed of largely traditional materials.

#### Impact upon Residential Amenity

- 9.27. Policy DM10 of the adopted SADMP requires that the amenities of the occupiers of proposed developments would not be adversely affected by activities within the vicinity of the site.
- 9.28. Policy S8 of the Sheepy Neighbourhood Plan requires development proposals to be designed with evident care so as to show appropriate regard for the amenities of neighbouring properties including sunlight/daylight, privacy, air quality, noise and light pollution.

- 9.29. Objections have been received regarding overlooking, overbearing impact and potential loss of privacy. It is acknowledged that there would be some impacts on neighbours resulting from the development of the site. The application has been amended since it was first submitted to address some of these issues. Both adjoining neighbours have large rear gardens, and it is considered that following the revisions to the scheme no neighbouring property would now be so detrimentally affected that further amendments are required.
- 9.30. Policy DM10 of the adopted SADMP also requires that the amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site. Paragraph 130 (f) of the NPPF requires that a high standard of amenity for future users is provided.
- 9.31. The site plan indicates that the buildings are adequately spaced at the rear with proposed gardens varying in size between 79.3 and 107.8 square metres. The Council's Good Design Guide sets out a general guideline for three bedroomed houses of 80m<sup>2</sup> and 60m<sup>2</sup> for two bedroomed houses. It is therefore considered that future occupiers would benefit from adequate garden sizes and an acceptable level of amenity.
- 9.32. It is considered that the proposed development sits comfortably within the street scene as the height and design of the proposed properties are consistent with the scale, mass, and form of the neighbouring residential area. The proposed properties would not detract from the character of the area and do not appear as an overbearing feature to any neighbouring property or its occupiers.
- 9.33. The proposal is not considered to have any significant adverse impact on the amenities of surrounding residents and provides acceptable residential amenity for future occupiers. As such, the proposed development is in accordance with Policies S8 of the Sheepy Neighbourhood Plan, DM7 and DM10 of the SADMP, the Good Design Guide and the requirements of the NPPF (2021).

#### Impact upon Highway Safety

- 9.34. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the adopted SADMP requires new development to provide an appropriate level of parking provision.
- 9.35. Policy S15 of the Sheepy Neighbourhood Plan states that parking provision for new housing will be in accordance with Policy DM18 of the SADMP and that developments within Sibson should demonstrate that they would not exacerbate any existing problems in the vicinity with increased on-street parking.
- 9.36. Paragraph 111 of the NPPF states that development should only be refused if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.37. Objections have been received regarding increased traffic, insufficient on-site parking, insufficient visitors' parking, and the main road being too narrow and unsafe access for increased traffic.
- 9.38. The Local Highway Authority (LHA) have checked their Personal Injury Collision (PIC) database and there have been no recorded PICs in the vicinity of the proposed site accesses within the last five years. The LHA therefore believe the proposed development should not exacerbate the existing highway safety situation.



- 9.39. The LHA are satisfied that, subject to the conditions set out below, the access is safe and suitable for the proposed development and accords with Part 3, Paragraph 3.192 of the Leicestershire Highways Design Guide (LHDG).
- 9.40. The LHA are of the view that the proposed development may lead to an intensification of the existing access and have therefore added an appropriate condition below to ensure the perpetual maintenance of the desired minimum visibility splays in both directions at the site access
- 9.41. The LHA are satisfied that the submitted drawings show sufficient space for appropriately sized parking spaces to be provided and that sufficient space has been afforded to allow vehicles to turn and enter the public highway in a forward gear.
- 9.42. The Chartered Institution of Highways and Transportation and the Institute of Highways Engineers have published a guidance note on residential parking. This document, published in April 2012, does state that "Tandem parking spaces are often under-utilised by households with two or more cars in regular use". The LHA has confirmed that tandem parking is considered on a case by case basis and that it is generally considered acceptable and only where three spaces are provided in a tandem arrangement is it considered unacceptable.
- 9.43. This proposed development, and its improved parking standards, complies with LCC Highways Design guidance. Overall it is considered that there would not be a significant adverse impact upon highway safety.
- 9.44. With regard to Policy S15 of the Sheepy Neighbourhood Plan it is considered that on-street parking is a feature of almost every village and hamlet and that there is not a particular existing problem with on street parking currently aside from the usual problems that will occur when even a single car parks on street and two vehicles are trying to pass at the same time. It is not considered that the proposal is contrary to the requirements of Policy S15 of the Sheepy Neighbourhood Plan.
- 9.45. The proposed parking layout now comprises just a single instance of tandem parking. Tandem parking is a common feature of many new developments and already exists for many existing houses within the village. Tandem parking is accepted by both the Local Highway Authority and by the Committee in its decisions.
- 9.46. Being mindful of paragraph 111 of the NPPF and the comments of the Local Highway Authority it is considered that the proposal would comply with policies DM17 and DM18 of the SADMP.

#### Drainage

- 9.47. Policy DM7 of the adopted SADMP requires that development does not create exacerbate flooding.
- 9.48. Policy S6 of the Sheepy Neighbourhood Plan states that new development should take full account of flood risk especially from rivers, groundwater and overland flooding. Development is directed to locations at the lowest risk of flooding. It also states that developments should take opportunities to reduce flood risk elsewhere. The policy also requires that developments should incorporate Sustainable Drainage Systems (SuDS), to manage surface water run-off with a goal of no net increase above the surface water run-off rate for greenfield sites rate.

- 9.49. Objections have been received regarding increased risk of flooding and run-off to neighbouring dwellings on Long Row further down the Main Street. It is noted that one of the objections refers to flooding in 1998 and that the drainage pipework identified as the main cause of that flooding has still not been upgraded as recommended at the time of the investigation. These dwellings that have flooded previously are shown on the Environment Agency Flood Map for Planning to be at risk of surface water flooding and should there be extremely high rainfall they will flood again regardless of whether the application site is developed or not.
- 9.50. The site lies within Flood Zone 1 on the Environment Agency Flood Map for Planning and within an area that is at very low risk of surface water flooding. It is therefore a site that accords with the requirements of Policy DM7 of the SADMP and Policy S6 of the Sheepy Neighbourhood Plan. The information submitted with the application explains how surface water run-off from the site would be reduced as a result of the development. The Parish Council now acknowledges that a betterment from the current situation is proposed albeit that it does not agree that it would be achieved.
- 9.51. The proposal is not considered to significantly impact upon existing problems with regard to discharges into the River Tweed. It is considered to be unreasonable to withhold consent for development that might be considered acceptable in all other respects on such grounds.
- 9.52. The Borough Council's Drainage Officer has no objection to the proposal subject to a condition for surface water drainage details incorporating sustainable drainage principles (SuDS). The wording of this condition requires that development shall not commence until a scheme for surface water drainage of the site including design details, calculations and maintenance and incorporating sustainable drainage principles (SuDS) has 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 occupation of any dwelling and maintained in accordance with the approved scheme thereafter.
- 9.53. It is acknowledged that existing neighbours are rightly fearful of future flooding events, but it is the case that development of the site would reduce those impacts rather than increase them.
- 9.54. It is considered the proposed condition is both necessary and reasonable and that to require works in advance of the application being considered, given the circumstances outlined above, would not be reasonable. It is considered that the proposed condition appropriately deals with flood risk on the site and generated by development of the site in compliance with Policy DM7 of the SADMP and Policy S6 of the Sheepy Neighbourhood Plan.

#### Other Matters

- 9.55. The Applicant accepts the need for a condition removing permitted development rights for extensions to the dwellings, should permission be granted.
- 9.56. The Applicant accepts the need for a condition requiring the completion of the Houghton House refurbishment prior to the occupation of the final property, should permission be granted.

#### Planning Balance

- 9.57. The site is located within the settlement boundary of Sibson where new infill residential development is considered sustainable subject to all other material considerations. The proposed residential development would therefore not conflict with adopted strategic planning policy, Policy 13 of the Core Strategy.
- 9.58. As referred to earlier within this report the Council is unable to demonstrate a 5-year housing land supply and its housing policies are out of date, therefore, this application should be determined against paragraph 11(d) of the NPPF whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 9.59. Paragraph 8 of the NPPF identifies three overarching and interdependent objectives to sustainable development – the economic, social and environmental objectives. In this case, the proposal would provide a small contribution to the social role through the provision of three additional dwellings and a moderate contribution to the economic role through the construction of the development and future ongoing occupation of the dwellings supporting local services.
- 9.60. It is considered that the removal of the incongruous outbuildings within the immediate setting of the Listed building, and the implementation of a sympathetic range of alterations to Houghton House in accordance with a detailed schedule of works and further details to be provided via condition, will preserve and enhance the special architectural and historic interest of the listed building and enhance the significance of the Sibson Conservation Area. The proposed new dwellings and their associated courtyard, landscaping and boundary treatments would be of a satisfactory scale, layout, density, mass and design, and constructed largely of traditional materials. The proposal would therefore preserve the significance of the Sibson Conservation Area and be compatible with the significance of the Grade II Listed Houghton House and its setting, so consequently it would comply with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.61. Parking is provided in accordance with the usual standards that both the County as Highway Authority and the Borough Council apply consistently. It is considered unreasonable to withhold consent for the development now proposed on grounds of any perceived lack of parking or that development might, on occasions, lead to on-street parking.
- 9.62. The application is not considered to conflict with any of the policies set out within the Development Plan and there are no significant or demonstrable adverse impacts that would outweigh the identified social and economic benefits and the presumption in favour of sustainable development. Therefore, no material considerations indicate that a decision should be made other than in accordance with the Development Plan.

## **10. Equality implications**

- 10.1. 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.
- 10.2. 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.
- 10.3. There are no known equality implications arising directly from this development.
- 10.4. 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).

## **11. Conclusion**

- 11.1. The proposal is within the settlement boundary of Sibson. The siting, scale and design of the proposed dwellings have been reduced and improved as requested by the Committee and the dwellings are considered to complement the character of the surrounding area and have a neutral effect on the setting of the nearby listed building. As a result of revisions to the submitted scheme it would also have no significant adverse impact upon the residential amenity of any neighbouring dwellings, it would have no severe adverse impact upon highway safety and there would be no adverse impact upon ecology. The existing drainage system has problems that the development might exacerbate but a condition is attached requiring the developer to mitigate any problems caused by the development if the site. This reasonably mitigates issues arising from development of the site. Therefore, the proposal is considered to comply with Policies S6, S7, S8 and S15 of the Sheepy Neighbourhood Plan, Policies DM1, DM3, DM6 DM7, DM10, DM11, DM12, DM17 and DM18 of the SADMP, Core Strategy Policy 13, Chapter 16 of the NPPF and the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act, 1990. Therefore, this application is recommended for approval subject to the conditions below.

## **12. Recommendation**

- 12.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

### **12.2. 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:

Proposed Ground Floor Site Plan - Drg No. 20101 P06 received by the LPA on 24 March 2023

Proposed First Floor Site Plan - Drg No. 20102 P06 received by the LPA on 24 March 2023

Proposed Ground Floor Plans Unit 1 - Drg No 20121 P02 received by the LPA on 24 March 2023

Proposed First Floor Plans Unit 1 - Drg No 20122 P02 received by the LPA on 24 March 2023

Proposed Elevations Unit 2 – Drg No 20124 P02 received by the LPA on 24 March 2023

Proposed Floor Plans - Unit 2 - Drg No. 20123 P02 received by the LPA on 24 March 2023

Proposed Floor Plans - Unit 3 - Drg No. 20125 P02 received by the LPA on 24 March 2023

Proposed Elevations Unit 3 – Drg No 20133 P02 received by the LPA on 24 March 2023

Site Location Plan - Drg No. 00101 P05 received by the LPA on 24 March 2023

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

3. There shall be no occupation of the third dwelling to be completed that is hereby approved unless and until the internal and external works to Houghton House have been completed in accordance with the details approved in condition 2 of listed building consent references 21/01502/LBC and 22/01234/LBC.

**Reason:** To secure the enhancement of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

4. Notwithstanding the submitted details, before development commences full details and/or samples of all external materials for the construction of the new dwellings, including facing walls, roof tiles, details of proposed new windows and doors, window cill and header treatments, and rainwater goods shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details.

**Reason:** To ensure that the development has a satisfactory external appearance in the interests of visual amenity and to preserve and enhance the significance of the listed building and the Sibson Conservation Area to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no development (as defined by Section 55 of the Town and Country

Planning Act 1990) as may otherwise be permitted by virtue of Classes A to H of Part 1 Schedule 2 of the Order shall be carried out upon the new dwellings.

**Reason:** To ensure continued control over development within the curtilage of the dwellings on the site in the interests of visual amenity and to preserve the significance of the listed building and the Sibson Conservation Area to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

6. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 4.25 metres for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material with a 5.5 metre dropped crossing and 6 metre kerbed radii. The access once provided shall be so maintained at all times.

**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 (2021).

7. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 43 metres by 2.4 metres have been provided at the site access in both directions. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

**Reason:** To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

8. The development hereby permitted shall not be first used until such time as the eight designated parking spaces, each measuring at least 2.4 metres X 5.5 metres have been implemented. Thereafter the on-site 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 the National Planning Policy Framework (2021).

9. 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 five metres of the highway boundary, nor shall any be erected within a distance of six metres of the highway boundary unless hung to open away from the highway.

**Reason:** To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

10. Development shall not commence until a scheme for surface water drainage of the site including design details, calculations and maintenance and

incorporating sustainable drainage principles (SuDS) has 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 occupation of any dwelling and maintained in accordance with the approved scheme thereafter.

**Reason:** To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site to accord with Policy DM7 of the adopted Site Allocations and Development Management Policies DPD.

11. 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 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 adopted Site Allocations and Development Management Policies Development Plan shall Document (2016).

12. Upon completion of the remediation works a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The Verification Report shall include details of the remediation works and quality assurance certificates to demonstrate that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to demonstrate that the site has reached the required clean-up criteria shall be included in the Verification Report. Together with the necessary documentation detailing what waste materials have been removed from the site.

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

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

14. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed

residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored.

The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

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

15. Construction work of the development, hereby permitted, shall not take place other than between the hours of 07:30 hrs and 18:30 hrs on weekdays and 09:00 hrs and 14:00 hrs on Saturdays and shall not take place at any time on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

16. Should the existing heritage lamppost requiring moving to accommodate the kerb radii it shall be replaced as close as possible to its original position prior to any dwelling being occupied.

**Reason:** In the interests of the character of the area in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

### 12.3. Notes to applicant

- 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 3050001. 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.