

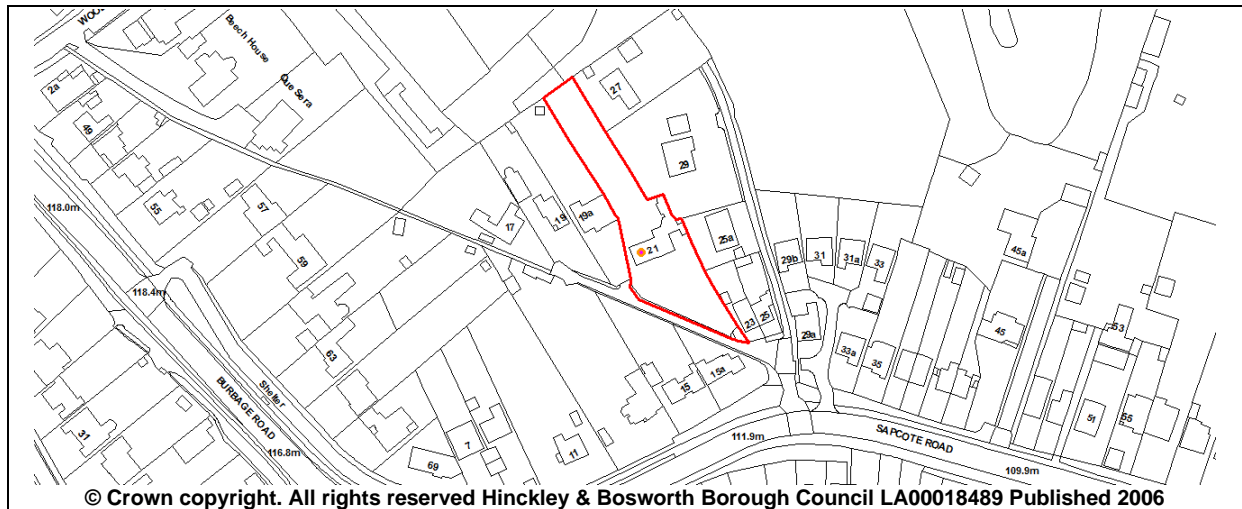
Planning Committee 19th September 2023
Report of the Head of Planning (Development Management)



Hinckley & Bosworth
Borough Council

Planning Ref: 23/00135/FUL
Applicant:
Ward: Burbage St Catherines & Lash Hill
Site: 21 Sapcote Road Burbage Hinckley

Proposal: Proposed erection of two detached dwellings (following demolition of existing dwelling) with associated parking and landscaping



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. The application seeks full planning permission for the erection of two detached dwellings at 21 Sapcote Road, Burbage, which would include the demolition of the existing dwelling.
- 2.2. The existing bungalow would be replaced with a dwelling of a similar design and scale, sited approximately 5m further forward (southeast). The replacement bungalow would sit broadly in line with neighbouring 25a to the east and feature a detached garage to the front elevation. The design includes front and rear projecting gables and would be constructed on a mix of timber cladding, facing brickwork and render.
- 2.3. The additional dwelling directly to the rear of the bungalow would feature a two-storey design, with an attached garage to the front elevation and single storey rear extension. The design features projecting gables and dormer windows and varying levels and would be built with matching materials to the bungalow – timber cladding, render and black brickwork.
- 2.4. The existing access would be utilised off Sapcote Road to the side of the host property which would involve the demolition of the garage at the side. The access has been amended to 5.3 metres in width. Currently this access is a secondary access to the host property however this will be blocked off for users of the host dwelling so they would then have just the one vehicular access at the front.

- 2.5. The initial proposal has been amended to reduce the scale of the proposed two-storey dwelling to the rear of the site, reducing both the height and width of the dwelling, and reducing the projection of the garage/office on the front elevation. This was requested by officers in the interests of protecting the design and visual impact on the character of the area, whilst also addressing concerns regarding neighbouring amenity raised by both neighbouring residents and officers.
- 2.6. The application is accompanied by a design statement, parking statement, planning statement and a bat survey.

3. Description of the Site and Surrounding Area

- 3.1. The site relates to land serving a detached house, measuring approximately 0.44 acres in total, located within a mainly residential area within the settlement boundary on the northern side of Burbage. The surrounding area is characterised by urban development, with houses of varying ages, designs and sizes, with some history of backland development in the area.
- 3.2. The site contains a large, detached property and garage accessed via a private access road and public right of way from Sapcote Road and includes a large driveway to the front and extensive private rear garden area measuring approximately 60m in length.
- 3.3. Public Right of Way (PROW) Footpath U15 runs adjacent to the proposed development and runs along the private access drive which is utilised to access the proposed development.
- 3.4. There are a mix of closeboarded fencing, boundary hedges and trees to the side boundaries. To the north is open space and beyond the site is designated green wedge.

4. Relevant Planning History

80/00481/4M

- Extensions to dwelling
- Planning Permission
- 09.06.1980

02/01315/FUL

- Erection of garage
- Planning Permission
- 31.12.2002

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. As a result of the publicity 5 objections have been received making the following comments:
- Access to the site is obscured and is unsafe for vehicles and pedestrians.
 - Number of cars will increase with commercial use of the site.
 - Size, layout and density is incongruous and would result in the over-density of the site.
 - Loss of character of the area.

- Harm to neighbouring amenity (loss of privacy, noise and overbearing).
- Increase in number of vehicles due to sports massage business.
- Trees removed prior to application submission.

6. Consultation

6.1. No objection has been received from:

Environmental Health (Pollution)

Street Scene Services (Waste)

HBBC Drainage

6.2. Burbage Parish Council – initially objected to this application.

Members are concerned that the development would exacerbate an existing issue of accumulation of traffic through the day on areas of hard-standing fronting semi-detached properties on either side of the application site.

A supporting planning statement from the applicant states that no trees will be removed as a result of the application. Members noted that the central portion of the site, earmarked for the proposed new build, was until recently covered by several trees, as can be seen on the currently available Google Earth view for the property, dated as being taken on 16th June 2021. Those trees have since been removed. Members wish to clarify the accuracy of the proposed floor plans which describe new room space as 'office'. It is known that the applicant runs a sports massage business. A plan in possession of a neighbour shows the same space listed as a 'treatment room'. Members do not dispute the right of the applicant to run a business from the property but are concerned that if there was to be a business use, there could be highway implications if clients were to be arriving and leaving in vehicles throughout the day.

Following re-consultation:

Burbage Parish Council has no objections to this application, however, it is concerned that the proposed development and ancillary business being operated from it would exacerbate an existing issue of accumulation of traffic through the day on areas of hard-standing fronting semi-detached properties on either side of the application site. To mitigate this, if the LPA is minded to approve the application, the Council would request that conditions be imposed to limit working hours and the number of appointments being offered per day to those specified in the letter from the applicant's agent, presented as supporting information for this re-consultation.

6.3. Leicestershire County Council (Ecology) – Request for bat survey. Provided and considered acceptable.

6.4. Leicestershire County Council (Highways) –

04.04.23 and 27.04.23 - The proposed site is accessed from Public Right of Way (PROW) Footpath U15, which then connects to Sapcote Road. Sapcote Road is an adopted B-classified road subject to a 30-mph speed limit. The proposed site access arrangements for the two dwellings are indicated on the submitted drawing titled 'Proposed Site Block Plan' (drawing number P / 0002). A 4.25m site access is proposed at the point of connection with the private drive and Footpath U15, which then narrows to an estimated 3m. Given the distance the site access is behind the highway boundary (Sapcote Road) the LHA does not object to this. Notwithstanding this, it is noted that the red line boundary of the application does not abut the public highway, and as such this should be amended.

The LHA acknowledges that vehicle speeds and flows are likely to be low utilising the private drive. In noting the presence of footpath U15 however the LHA request that 2m x 2m pedestrian visibility splays (both sides of the access) are indicated at the point of access from the private drive and footpath U15 on a revised drawing in accordance with Part 3, Figure DG17 of the LHDG. The required pedestrian visibility splays should be within the red line boundary and should be kept free from obstructions over 0.6m in height.

The submitted drawing titled 'Proposed Site Block Plan' (drawing number P / 0002) indicates the proposed internal layout. Two external car parking spaces are indicated for each dwelling. In addition, for the southern three-bedroom bungalow, a 6m x 6m double garage is proposed as indicated on drawing titled 'Bungalow - Proposed Floor Plans and Elevations'. For the northern four-bedroom dwelling, a single garage is also proposed. Dimensions are not provided for this single garage, however the LHA estimates the internal dimensions to be 2.8m x 5.3m. Whilst this is not in accordance with part 3, paragraph 3.200 of the LHDG in order to be considered towards the required parking provision, the LHA believes parking and turning provision within the curtilage of the development to be sufficient for the two dwellings and ancillary use proposed.

Following re-consultation: No objections subject to conditions. Vehicular and pedestrian visibility splays are achievable, and the proposal will not adversely affect the use and enjoyment of Footpath U15.

7. Policy

7.1. Core Strategy (2009)

- Policy 4: Development in Burbage

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

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

7.3. Burbage Neighbourhood Plan (2021)

- Policy 1 Settlement Boundary
- Policy 2 Design and Layout

7.4. National Planning Policies and Guidance

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

7.5. Other relevant guidance

- Leicestershire Highways Design Guide
- Good Design Guide Supplementary Planning Document

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Drainage
- Ecology
- Other matters

Assessment against strategic planning policies

- 8.2. Paragraphs 11-13 of the National Planning Policy Framework (NPPF) state that the development plan is the starting point for decision making. The NPPF is a material consideration in determining applications. The development plan in this instance consists of the Site Allocations and Development Management Policies (SADMP) DPD (2016) and the Core Strategy (2009).
- 8.3. Policy DM1 of the adopted SADMP and paragraph 14 of the NPPF provide a presumption in favour of sustainable development with planning applications that accord with the policies in the Local Plan should be approved unless material considerations indicate otherwise.
- 8.4. Core Strategy Policy 4 supports residential development in Burbage in principle with land to be allocated for a minimum of 295 residential dwellings. The site is within the settlement boundary for Burbage as outlined in the SADMP and Policy 1 of the Burbage Neighbourhood Plan (BNP) and within good access to public transport and local services. Given the site is located within the settlement of Burbage the principle of the development is acceptable. This is subject to all other planning matters being satisfactorily addressed.

Design and impact upon the character of the area

- 8.5. Policy DM10 requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features.
- 8.6. Policy 2 of the Neighbourhood Plan requires residential development to respect its surroundings and, where appropriate, should follow the existing pattern of development and should retain existing important natural features on the site, such as trees, hedgerows and streams.
- 8.7. The pattern of development in the area is characterised by a mix of plot and dwelling sizes, layouts and individually designed properties (predominantly detached) in the area, and existing forms of back land development set around the un-adopted access from Sapcote Road. The proposed development would be seen in this context. The pattern of development in this area is defined by backland dwellings which have been built over the years, resulting in a mixed and irregular development grain, and building line with no strict pattern. The proposed replacement dwelling would sit broadly within the footprint of the existing dwelling, whilst the proposed dwelling to the rear would sit broadly in line with numbers 19A and 29 Sapcote Road to the rear.
- 8.8. Officers were concerned that the initial proposal could result in a cramped and contrived development, due to a combination of the narrow width of the plot where the two-storey dwelling is proposed, the proximity to the replacement dwelling to the south, and the scale (height and width) of the two-storey dwelling. The design was

amended to separate the two dwellings by an additional metre (now over 11m), and the width and height of the two-storey dwelling was reduced to an acceptable degree. Therefore, it is judged that the proposal would not severely impact on the character of the area and would assimilate well with the existing grain of built development.

- 8.9. In terms of the individual design of the two dwellings, two varying designs and scales are proposed. The bungalow towards the south of the site would share a similar design to the existing dwelling, with the garage to the side relocated to the front of the site to allow side access to the dwelling to the rear. The design features, front and rear gables with a part render/part clad design form a traditional design. The rear garden backs on to the proposed two-storey dwelling and curves around the access drive to form a semi-circular shape.
- 8.10. The two-storey dwelling neighbours similar two-storey dwellings directly to the west and east, and features a pitched gable roof design, with front and rear gables of varying sizes. To the front is a 1.5 storey garage and office extension with a hipped roof. The rear garden would be long and rectangular measuring approximately 38m x 10m. The materials would also be a mix of render and timber cladding.
- 8.11. Given the properties location behind the existing dwelling and with strong boundary treatment of hedgerows on both side elevations the proposed dwellings would be well screened from the Sapcote Road street scene, therefore the visual impact of the proposal would be minimal from the main public vantage point. The dwellings would be more visible from the public right of way; however, they would be viewed in the context of neighbouring dwellings and would not appear incongruous or detrimental to the character and appearance of the area. Notwithstanding the presence of the mature boundary hedgerow, if this were not present the proposed development would be viewed in context with the dwellings to the north and east which form a residential character backdrop. The amended scale and layout of the proposal ensures that the character of the area is maintained.
- 8.12. In summary, it is not considered that the proposal would severely disrupt the character or pattern of the area and the design would not have a significant visual impact. The proposal would therefore comply with policy DM10 of the SADMP and Policy 2 of the BNP.

Impact upon neighbouring residential amenity

- 8.13. 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.
- 8.14. On the original plans there was a separation distance between the rear elevation of the bungalow to the 1.5 storey garage of the two-storey dwelling of 10.5m. HBBC Good Design Guidance states that habitable rooms within a rear elevation should ideally not be less than 12m from the blank side of a two-storey neighbouring property. In this case, as the double garage features a hipped roof with a ridge height of 6m and an eaves height of 2.4m. Officers therefore requested that the separation distances between the two dwellings should be increased, and this was implemented with a scheme which now offers a separation distance of 11.75m, which is considered acceptable in this case.
- 8.15. *23 Sapcote Road*
- This dwelling sits alongside the existing access which would experience some degree of additional vehicular traffic as a result of the additional dwelling. This

increase would be limited and is not considered to result in an unacceptable level of noise, disturbance or pollution.

8.16. *25a Sapcote Road*

This neighbour sits broadly in line with the proposed location of the replacement bungalow, with a boundary separation of 5.2m. Due to the separation distance and the single storey design of both dwellings, there would be no adverse amenity impacts upon this property.

8.17. *19a Sapcote Road*

This property would sit in line with the new two storey dwelling to the rear of the site. The two storey elements of the proposed dwelling do not project beyond the front or rear elevations of the property, therefore there would be no overbearing or loss of light impacts.

The garage to the front of the property would project beyond the front elevation of 19a. Officers applied the 45-degree rule and note that there is a marginal breach to a principal window on the front elevation. However, taking into account a slight level change in the site where 19a sits higher, proposed boundary treatment, and the hipped roof design of the garage, it is not considered that there would be unacceptable amenity impacts upon 19a.

8.18. *29 Sapcote Road*

The two-storey dwelling would sit broadly in line with this dwelling, with a separation distance of 14m between the side elevation of the proposed dwelling and rear elevation of No. 29. The proposed dwelling features a double length window serving the stairwell on the side elevations which would face principal windows on the rear elevation of No. 29. To protect the amenity of 29 a condition will be included to ensure that this window is obscurely glazed.

The proposed dwelling would result in some degree of additional overbearing impacts upon the garden area of No. 29, however with the implementation of boundary treatments and considering that minimum separation distances would be met, it is considered that the resultant relationship would be acceptable.

8.19. The host property currently has a large rear garden space. The proposal would result in this space being subdivided however there would be sufficient amenity space being provided to serve both dwellings and suitable amenity retained to the host dwelling. The proposal would therefore not result in overdevelopment of the site. However, given the depth of the garden for the bungalow to the front, it is considered appropriate to removed permitted development rights to the new dwellings.

8.20. Overall, the proposal would have an acceptable impact on residential amenity in accordance with policy DM10 of the SADMP.

Impact upon highway safety

8.21. 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.

8.22. The Local Highway Authorities initial observations requested that 2m x 2m pedestrian visibility splays (both sides of the access) are indicated at the point of access from the private drive onto Public Footpath U15 on a revised drawing in accordance with Part 3, Figure DG17 of the Leicestershire Highway Design Guide. The LHA also noted that the red line boundary of the application does not abut the

public highway, and as such requested that this should be amended. The applicant has subsequently submitted further information in support of this application.

- 8.23. The applicant has submitted correspondence between the applicant and the LPA the applicant states, in relation to pedestrian visibility splays, that:

'The drawing demonstrates good visibility to the west of the site and can be enhanced through the control of vegetation height, if required. To the east, visibility is restricted by the position of the neighbouring property's fence line. However, in practice, vehicles tend to be positioned towards the western side of the driveway when exiting, thereby maximising visibility to the southeast. As a low speed environment, the level of visibility available is considered to be entirely appropriate.'

The applicant has also submitted a drawing titled 'Pedestrian Visibility Splay' (drawing number P / 002 (4)) in support of this application.

- 8.24. The LHA notes that the pedestrian visibility splays indicated are not in accordance with Part 3, Figure DG17 of the LHDG. In order to ascertain the available pedestrian visibility splays of the existing site access, the LHA undertook a site visit on 24 August 2023 and established that 2m x 2m pedestrian visibility splays are achievable and as such the LHA has advised a condition to ensure the provision and maintenance of these in perpetuity. In previous observations dated 13 July 2023 the LHA reiterated a request (made in earlier LHA observations) for the red line boundary to be revised so as to abut the public highway. This was advised as being required in order to demonstrate a means of access to the proposed development. The LPA subsequently sent a revised red line boundary and as such the LHA is satisfied that a means of access is achievable to the proposed development.
- 8.25. Regarding the Public Right of Way, the LHA does not believe that the proposed development will adversely affect the use and enjoyment of Footpath U15 and advises appropriate conditions in relation to the Public Right of Way below.
- 8.26. In summary, the revised proposal would not result in an unsafe access arrangement for pedestrians or vehicles and demonstrates an acceptable parking and turning arrangement in accordance with policies DM17 and DM18 of the SADMP.

Drainage

- 8.27. Policy DM7 of the adopted SADMP requires that development does not create or exacerbate flooding.
- 8.28. The site is located within flood zone 1 indicating there is a low risk of flooding in the area. The application site does not exceed the thresholds requiring a site-specific FRA and is not in an area identified as being a critical drainage area.
- 8.29. HBBC Drainage have no objection to the proposal and have suggested informatives regarding surface water drainage and the material treatment of new access drives and hardstanding areas. Therefore, the application is considered to be acceptable in accordance with Policy DM7 of the SADMP.

Ecology

- 8.30. Policy DM6 of the adopted SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation.
- 8.31. The County Ecologist requested the submission of a preliminary ecological appraisal, which was provided by the applicant. The assessment did not identify any

potential roosting suitability associated with the existing dwelling to be demolished. There were however recommendations to provide biodiversity enhancements which have formed planning conditions at the end of this report.

- 8.32. Therefore, the application is in accordance with Policy DM6 of the SADMP subject to conditions.

Infrastructure Contributions

- 8.33. Policy DM3 of the adopted SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities.
- 8.34. However, notwithstanding Policy DM3 of the adopted SADMP no contribution has been pursued in this case due to the scale of the development of just two (one net additional) dwellings.
- 8.35. It is not considered that any obligations are required to make the development acceptable in planning terms.

Other matters

- 8.36. The Council was made aware of an ancillary business use associated with the address where the owner provides one to one physiotherapy sessions. Further information was requested by the LHA and Council to ensure that there would be no unacceptable highway or neighbouring amenity impacts because of the combination of this ancillary use and the proposed addition of one dwelling.
- 8.37. The applicant has submitted correspondence which states the following:

'The ancillary use is a part-time venture of one of the applicants. There are no other employees. Sports massage services are provided on a flexible basis, arranged around family life, in between school drop offs, pick-ups, kids' clubs etc. There are around 7 appointments per week, each between 1 and 1.5 hours in duration. As you would expect, clients are one-in, one-out. There is currently no expectation or intention to intensify this ancillary use beyond what it already is.'

- 8.38. Due to the low level of trip generation associated with the ancillary business, it is not considered that there would be any unacceptable highway or neighbouring amenity impacts associated with the proposal. The Parish Council suggested a condition to limit the working hours and the number of appointments being offered per day to control the number of trips generation at the site to an acceptable level. This suggestion was put to the applicant and agent but resisted on the basis that the application is not seeking a change of use and that the level of trip generation generated by the ancillary use would not differ from general domestic use.

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. Policy DM1 of the SADMP provides a presumption in favour of sustainable development. Also, the site is located within the settlement boundary for Burbage with good access to shops and local facilities. The principle of the development is therefore acceptable.

10.2. The proposal would not be out of character with the pattern of development in the area and the proposed design of each dwelling and their amenity areas would create a harmonious development in accordance with policy DM10 of the SADMP.

10.3. The revised proposal would have a minimal impact on residential amenity or visual amenity in accordance with policy DM10 of the SADMP. In addition, the proposal would not have an unacceptable impact on ecology, parking, or highway safety.

11. Recommendation

11.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

11.2. Conditions and Reasons

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

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Site Location Plan P/001 Rev B
Proposed Site Block Plan P/002 Rev A
Proposed Site Section P/002 (2)
House – Proposed floor plans and elevations P/003 Rev C
Bungalow – proposed floor plans and elevations P/004 Rev A

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

3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwellings hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

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

4. No part of the development hereby permitted shall be occupied until such time as 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on Public Right of Way Footpath U15 on both sides of the access 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 Development Plan Document and the National Planning Policy Framework (2021).

5. Prior to first occupation of each dwelling, space shall be provided for the parking of vehicles associated with that dwelling in accordance with Proposed Site Block Plan drawing number P / 002 (Revision A). Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Policy DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document and the National Planning Policy Framework (2021).

6. No development shall take place beyond foundation level until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority. The scheme shall be carried out in full accordance with the approved landscaping scheme. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site

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

7. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

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

8. The development shall be carried out in accordance with the recommendations and mitigation measures outlined in the Preliminary Roost Assessment (Ecology resources, 15th June 2023). Prior to the first occupation of the dwellings hereby approved, details regarding the location and specification of at least one bat box and one bird box to be incorporated into the dwelling or surrounding areas (trees), shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the enhancement of biodiversity potential and the protection of species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies DPD (2016).

11.3. Notes to Applicant

- 1) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
- 2) Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- 3) The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- 4) If the developer requires a Right of Way to be briefly closed or temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- 5) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- 6) Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable

to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.

- 7) Access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).