

Reference: 14/01250/OUT

Applicant: Mr & Mrs Pocklington

Location: Park House 62 Main Road Sheepy Magna

Proposal: Erection of 5 dwellings (outline - access and layout)

RECOMMENDATION:- Grant subject to conditions.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it has received 5 or more objections and the recommendation is contrary to the nature of the objections received.

Application Proposal

Outline planning permission is sought for the erection of 5 dwellings. Access and layout are for detailed consideration through this application. Matters including appearance, landscaping and scale are reserved for consideration at a later date.

The proposal includes the creation of a new access point from Main Street and the closing up of the existing access from Park View. The access driveway which currently serves Park House and Pinewood House is to be retained and used by the proposed development.

The Site and Surrounding Area

The site is approximately 0.39 hectares in size and is located to the rear of the properties along Park View. The site lies outside the settlement boundary to Sheepy Magna in the Hinckley & Bosworth Local Plan (2001); however the Site Allocations and Development Management Policies DPD (submission document) has included the site within the settlement boundary of Sheepy Magna.

The site currently comprises part of the residential curtilage associated with Park View. The site comprises of maintained grassland and there are two small outbuildings/shed located centrally within the site. The land rises gently to the west. There are several groups of trees along the southern and eastern boundaries of the site, which includes a group of pollarded Poplars and several silver birches. Additionally a group of trees sit along the proposed boundary to Park House, which are of a varied species and maturity. No trees on site are protected by a Tree Preservation Order.

The site is currently accessed from Park House via a shared gravelled driveway which serves both Park View and Pinewood House. This driveway is tightly bound by solid close boarded fencing to the south and mature trees to the north.

During the course of the application, in response to concerns raised by the Officer and as a result of public consultation, an amended layout has been submitted. This has reduced the scheme by one dwelling.

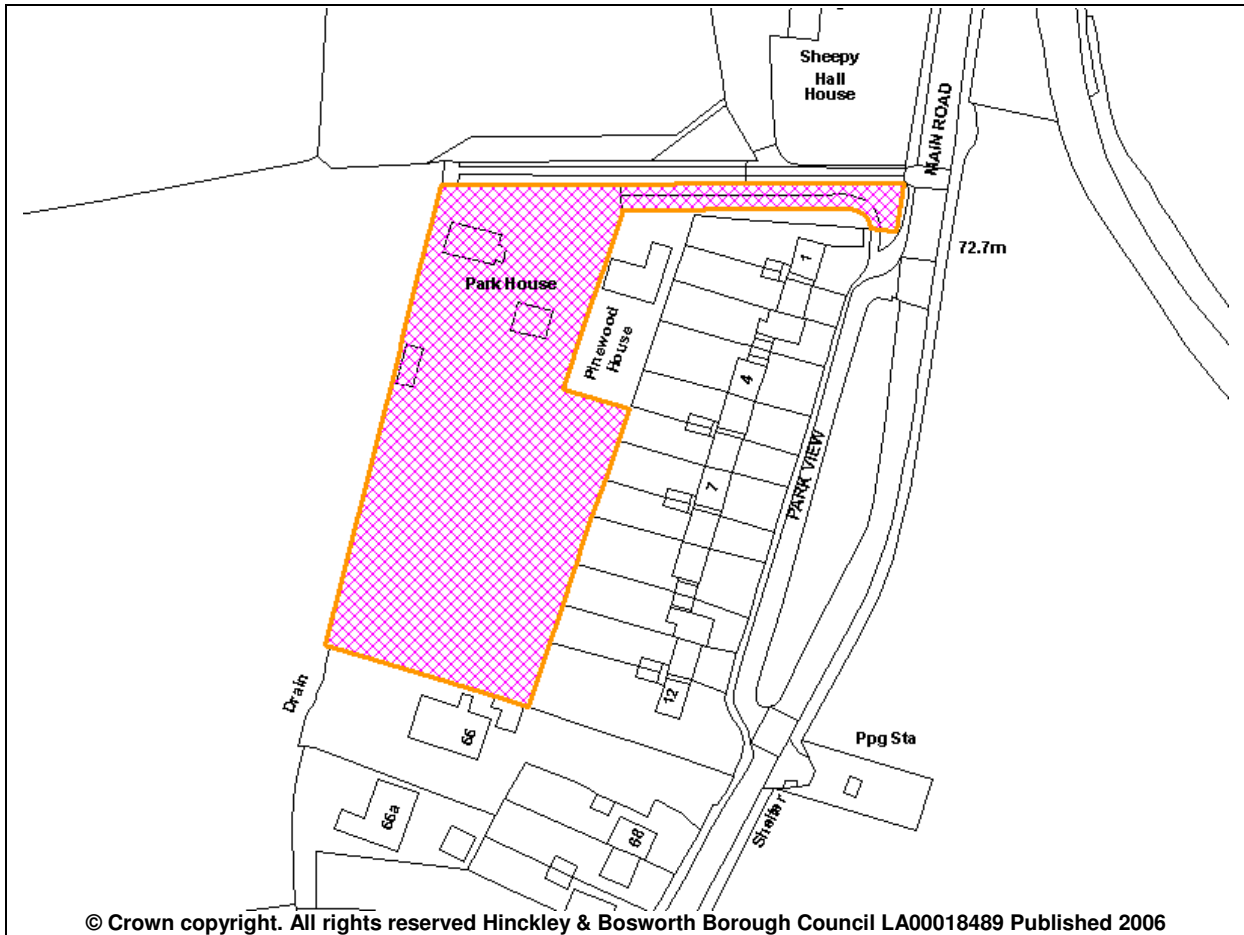
Technical Documents submitted with the application

Design and Access Statement
Planning Statement

Site and Tree Survey
Archaeology Report

Relevant Planning History:-

None relevant.



Consultations:-

No objection, subject to conditions, has been received from:-

- Environment Agency
- Severn Trent Water
- Leicestershire County Council (Highways)
- Leicestershire County Council (Archaeology)
- Leicestershire County Council (Lead Local Flood Authority)
- Environmental Health (Pollution)
- Environmental Health (Drainage)
- HBBC Street Scene Services (Waste)

Sheepy Parish Council have objected to the application on the following grounds:-

- a) development is outside the settlement boundary
- b) the development is too big and out of character with the area
- c) the bungalow at number 66 would be overlooked

- d) access to Main Road would be dangerous and several accidents have occurred in close proximity to the application site
- e) area is prone to flooding and there have been historic problems relating to foul sewage disposal
- f) Hinckley & Bosworth have a 5 year land supply and do not need any more houses to be built
- g) Sheepy Magna have achieved the housing figure quoted in the Core Strategy

A site notice has been displayed and neighbours notified. Representations have been received from nine separate addresses and County Councillor Ould, on behalf of his constituents, raising the following concerns:-

- a) planning application is premature as Site Allocations and Development Management Policies DPD not yet adopted and currently site falls outside the settlement boundary
- b) land potentially designated as agricultural/has an agricultural tie or a covenant on the land
- c) land is paddock land and not residential garden
- d) unsuccessful application for a bungalow on the site approximately 30 years ago
- e) concerns with access width and ability to drive into the access from the direction of Atherstone, no pedestrian footpath and no access for oil tankers waste vehicles into the site
- f) access will be used by over 20 vehicles, with no passing, and will cause issues with reversing out of the drive and garage to Pinewood House
- g) concerns with visibility of the access
- h) historic flooding issues to Parkview and surrounding dwellings properties and 64 and 62 Main Road
- i) impact upon the mature trees along the access track
- j) impact upon amenity of neighbouring residential properties, including overlooking, noise, loss of views of countryside, loss of light, pollution from additional vehicles
- k) loss of birds and wildlife visiting gardens, more houses will bring cats and dogs which will devastate the wildlife
- l) impact upon the local school, which the development will not contribute towards and its limited room for expansion
- m) Hinckley & Bosworth Borough Council has a five year land supply
- n) Sheepy Magna was allocated a further 20 dwellings in the Core Strategy, which will significantly pass the target set in the Core strategy and the development is therefore surplus to requirements
- o) impact upon trees.

Policy:-

National Policy Guidance

The National Planning Policy Framework (NPPF) 2012
 The National Planning Practice Guidance (NPPG) 2014
 Community Infrastructure Levy (CIL) Regulations 2010

Hinckley & Bosworth Core Strategy 2009

Policy 12: Rural Villages
 Policy 19: Green Space and Play Provision
 Policy 24: Sustainable Design and Technology

Hinckley & Bosworth Local Plan 2001

Policy RES5: Residential Proposals on Unallocated Sites
Policy NE5: Development within the Countryside
Policy NE13: The Effects of Development on Natural Watercourses
Policy BE1: Design and Sitting of Developments
Policy BE13: Initial Assessment of Sites of Archaeological Interest and Potential
Policy BE14: Archaeological Remains
Policy BE15: Preservation of Archaeological Remains in Situ
Policy BE16: Archaeological Investigation and Recording
Policy T5: Highway Design and Vehicle Parking Standards
Policy IMP1: Contributions towards the Provisions of Infrastructure and Facilities
Policy REC3: New Residential Development Outdoor Play Space for Children

Supplementary Planning Guidance/Documents

New Residential Development (SPG)
Site Allocations and Development Management Policies Development Plan Document
(Submission Document) - December 2014

Appraisal:-

The main considerations in the determination of this application are:-

- Principle of development
- Impact upon the character of the area
- Impact upon neighbouring amenity
- Highway considerations
- Drainage and flood risk
- Archaeology

Principle of Development

Paragraph 11 - 13 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that it is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009) and the saved policies of the Local Plan (2001).

Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. This means:

- Approving development proposals which accord with the development plan without delay, and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless;
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole, or
 - Specific policies in the NPPF indicate development should be restricted.

Core Strategy

Policy 12 of the adopted Hinckley & Bosworth Core Strategy (2009) identifies Sheepy Magna as a Rural Village. Rural Villages are identified as less sustainable than the Key Rural

Centres, however limited development, within the settlement boundary, is supported in these areas to ensure existing services, particularly primary schools are supported. Policy 12 of the Core Strategy also states that a minimum of 20 new homes will be allocated in Sheepy Magna.

Emerging Site Allocations and Development Management Policies Development Plan Document (DPD)

Whilst the site is located outside the settlement boundary of Sheepy Magana within the Hinckley & Bosworth Local Plan (2001), the emerging Site Allocations and Development Management Policies DPD (submission document - December 2014) proposes an amendment to the settlement boundary. As a result of this, the site would be situated within the settlement boundary. As this document is at an advanced stage and has been submitted for examination, the document comprises a material consideration and carries some weight in regards to the determination of this application.

Housing Land Supply

Paragraph 47 of the NPPF states that local authorities should identify and update annually a supply of deliverable sites sufficient to provide five years worth of housing against their housing requirements. They should also provide an additional buffer of 5% (moved forward from later in the Plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, authorities should increase the buffer to 20% (moved forward from later in the Plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

On the 11 March 2015 appeal decision ref: APP/K2420/A/12/2181080 Land East of Groby Village Cemetery was received. This was for the erection of 91 dwellings and associated ancillary development. This decision is a material consideration in the determination of this application.

The Inspector in this appeal gave consideration as to the most suitable method of housing supply calculation and to whether a 5% or 20% buffer should be applied. In his determination, the Inspector considered recent appeal decisions within the borough at Sketchley House, Burbage, Stanton Under Bardon Primary School and Ashby Road, Hinckley. The Inspector acknowledged there had been some variation in the conclusions drawn within each appeal in relation to the calculation of housing land supply. However, based on the most up-to-date evidence and the delayed delivery of the SUE's, he concluded that the supply of housing would be best served by making up the existing undersupply in the shorter term, in accordance with the 'Sedgefield' methodology. The Inspector found that the Council was not a persistent under deliverer and a 5% buffer would achieve the planned supply.

Based on the evidence submitted at this appeal by the appellant and the Council, the Inspector calculated that the Council does not currently have a 5 year supply of deliverable housing sites.

This latest appeal decision strongly indicates that the Council does not have a five year housing supply and therefore, in accordance with Paragraphs 49 and 14 of the NPPF, planning applications for new housing development must be considered in the context of the presumption in favour of sustainable development to help significantly boost the supply of housing.

Local Plan

The site lies outside of the current settlement boundary of Sheepy Magna, as defined on the proposals map of the adopted 2001 Local Plan and is therefore within an area designated as countryside. Saved Local Plan Policies NE5 and RES5 therefore apply.

Both Saved Policies NE5 and RES5 of the adopted Local Plan seek to protect the countryside for its own sake and state that planning permission will only be granted for development subject to certain criteria. The criteria do not include residential development. Policies RES5 and NE5 seek to guide development to appropriate, sustainable locations, and ordinarily, residential development would normally be restricted outside of settlement boundaries in the countryside.

The Planning Balance

There are three core strands underpinning the presumption in favour of sustainable development as set out within the NPPF which give rise to the need for planning to perform a number of roles. These considerations are economic, social and environmental. Paragraph 8 of the NPPF sets out that these roles should not be undertaken in isolation because they are mutually dependent. Therefore these roles need to be balanced and a cost benefit analysis undertaken to determine whether a development is considered to be sustainable. The NPPF clearly defines the three dimensions of sustainable development as follows:-

Economic - It is considered that the local economy would benefit through the creation of construction related jobs and services.

Social - The scheme would contribute towards a housing shortfall which would enhance the quality, vibrancy and health of the local community.

Environmental - The dwellings would be built to reflect the character of the adjacent settlement. Whilst the introduction of dwellings on undeveloped land would result in a degree of landscape harm, the layout proposed would contribute towards the built local environment. The location of the site on the edge of the existing settlement would ensure that the development would be set in the context of the existing built form within the village to the north and north east.

Based on the above the scheme is considered to comprise a sustainable form of development, in accordance with the NPPF, and would contribute towards the borough's housing shortfall and five year housing land supply.

Summary

In accordance with Saved Policies NE5 and RES5, residential development is not supported outside the settlement boundary. This said, the NPPF states that in the absence of a five year supply of housing sites, which the Groby Road appeal decision strongly suggests is now the case, housing applications should be considered in the context of the presumption in favour of sustainable development.

On balance, the development is considered to be acceptable in principle, subject to all other material considerations being addressed.

Due to the range of existing facilities within the village of Sheepy Magna, the development is considered to be in a sustainable location and in line with Core Strategy Policy 12, would ensure that these services would be supported and maintained.

The application would help boost the supply of housing, contributing towards the Council's five year supply position.

Therefore the principle of residential development on this site is considered to be acceptable and in accordance with Policy 12 or the Core Strategy, the NPPF and the emerging Site Allocations and Development Management Policies DPD (2014).

Layout and Impact upon the character of the area

The design criteria i-iv within Saved Policy NE5 of the Local Plan remain generally relevant to development within the countryside. The policy states that development will only be permitted where the following criteria are met:-

- a) it does not have an adverse effect on the appearance or character of the landscape
- b) it is in keeping with the scale and character of existing buildings and the general surroundings
- c) where necessary it is effectively screened by landscaping or other methods
- d) the proposed development will not generate traffic likely to exceed the capacity of the highway network or impair road safety.

Policy BE1 (criterion a) of the Local Plan requires development to complement or enhance the character of the surrounding area with regard to scale, layout, mass and design. Whilst there are certain matters reserved the layout is a matter for consideration.

Paragraph 17 of the NPPF states that the planning system should recognise the intrinsic character and beauty of the countryside and Paragraph 53 states that Local Planning Authorities should set out policies to resist inappropriate development of residential gardens, where development would cause harm to a local area.

Development of the application site would inevitably change and urbanise the existing rural character of the site. This said the application site is to the rear of Park View and therefore public views of the site would be limited to gaps in the building line. Whilst this proposal constitutes back land/garden development, this part of Main Street includes several examples of residential backland development and as such it could not be argued that the current proposal would be out of keeping with this existing character.

The layout of the proposal includes detached properties with adequately sized gardens, in conformity with the standards outlined in the New Residential SPG. Whilst this layout differs to the properties of Park View, which contain elongated rear gardens, there is a varied character along Main Street including plots of various sizes and larger detached dwellings. It is therefore considered that the layout is in keeping with the wider area and is not detrimental to the character of Main Street.

The site includes several groups of trees; the poplar trees along the boundary to the Park View properties are visually prominent within the area. A plan is provided with this application identifying the trees on site, however a full assessment has not been undertaken to confirm the tree retention or protection requirement. Landscaping is a matter to be reserved, however due to the existing trees on site a condition is recommended for a full tree assessment to British standards, identifying trees to be retained and felled is submitted prior to the commencement of development.

It is therefore considered, subject to satisfactory scale, appearance and landscaping outlined in the reserved matters stage the development of the site for four new dwellings would be in keeping with the character of the surrounding area and the proposal is therefore considered

to be in accordance with Policies NE5 and BE1 (criterion a), the Council's SPG on New Residential Development and paragraphs 17 and 53 of the NPPF.

Impact upon Residential Amenity

Policy BE1 (criterion i) of the adopted Local Plan and SPG require that development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties.

The amended layout has removed a dwelling to the southern end of the site. This has reduced the number of dwellings along the shared boundary with 66 Main Street. Additionally two dwellings (plot numbers 2 and 3) have been moved northwards to alleviate overlooking and overbearing impacts. As a result of these amendments, gardens of 16 - 18 metres in length would also be provided to the boundary of 66 Main Street.

There would be a separation distance of 7 metres between Plot 3 and the boundaries of numbers 10 and 11 Park View. This said, due to the considerable length (approximately 20 metres) of the gardens of these dwellings, it is not considered that there would be any detrimental impacts to the amenity of these adjacent dwellings.

Although details of the elevations of the dwellings have not been received at this stage, the proposed layout suggests that there would be adequate space on site to ensure that minimal separation distances between habitable room windows could be achieved.

Plots 4 and 5 back onto the properties along Park View, the proposed garden lengths of these plots would be 12 metres in length. It is considered that due to the length of the rear gardens (approximately 20 metres) of facing dwellings, there would be no arising issues in terms of overlooking or over bearing impact to these dwellings.

Due to the length of the rear garden of Pinewood House and the positioning of plot five it is considered this will not be detrimental to the amenity of these residents in regards to overlooking or over bearing impact.

It is therefore considered, subject to satisfactory scale, appearance and landscaping outlined in the reserved matters stage, that the development would not be detrimental to the residential amenity of neighbouring dwellings and would therefore be in accordance with saved policy BE1 (criterion i) of the Hinckley & Bosworth Local Plan (2001)

Highway Considerations

The proposal seeks to gain access to the development directly from Main Street, by amending the existing access and closing off the access from Park View.

Leicestershire County Council Highways have not objected to the proposal, subject to several conditions. It is considered that a number of the suggested conditions do not meet the six tests required for a condition, these include:-

- a) Requirement for works to an existing footpath
- b) Erection of gates - this is a shared private drive and therefore gates would not be erected
- c) Traffic management plan - this is not a major application and it is deemed unreasonable to request a traffic management plan for a development of 4 dwellings
- d) Turning facilities, the layout identifies this therefore a condition to require would be unreasonable
- e) Pedestrian visibility - the access includes adequate pedestrian visibility.

However, it is considered that the suggested conditions in regards to access, parking and surface materials are necessary and reasonable and have therefore been included as a recommended condition.

Due to the dimensions of the access track and the lack of a pedestrian footpath the access road would not be able to be adopted by the Highways Authority and will therefore be a private drive.

Following the concerns raised by residents in regards to the safety of the access and its width, further discussions were undertaken with Leicestershire County Highways. As a result of this it was concluded that the proposed access and private drive would not result in any highway safety concerns and that it would be acceptable, from a highway safety perspective for an additional four properties to use this existing access.

The proposal is therefore considered to be in accordance with saved Policy T5 of the adopted Hinckley & Bosworth Local Plan.

Impact upon Flooding

Saved policy NE13 of the Local Plan states that planning permission will not be granted for development proposals which would inhibit or damage the drainage functions of the natural watercourse system, unless adequate on or off site protection, alleviation or mitigation works are undertaken.

The site is within Flood Zone 1. This comprises of land which has less than a 1 in 1,000 annual probability of river or sea flooding. There have been historic flooding concerns on the site relating to the public drainage system within the area. To address these issues, Severn Trent Water has undertaken significant works to ensure flooding as a result of this does not reoccur. As such there are considered to be no issues relating to surface water drainage and Severn Trent Water have not objected to this proposal.

Leicestershire County Council as the Lead Local Flood Authority has identified that the site is underlain by a secondary A Aquifer, near a main river, and Flood Zones 2 and 3 (which lie to the east of Main Street). As such they have suggested that there would be a high conductivity between the river and the groundwater level. The site therefore has the potential to be susceptible to groundwater flooding. As such, the Lead Local Flood Authority has requested that a comprehensive ground investigation should be undertaken in line with a Flood Risk Assessment, with suitable mitigation measures, to ensure the development would not result in flooding to the surrounding area.

As this application is at the outline stage and the site is not within flood zone 2 or 3, it is not considered that these investigations and assessments are required prior to determination. A condition is therefore recommended that a Flood Risk Assessment including a comprehensive ground investigation and mitigation measures to ensure the site will not create future flooding issues is submitted to the Local Planning Authority alongside the reserved matters application for this proposal.

It is therefore considered that subject to an appropriate Flood Risk Assessment and any necessary mitigation measures this development would be acceptable and will not detrimentally damage the drainage functions of the natural watercourse system and is therefore in accordance with saved policy NE13 of the Hinckley & Bosworth Local Plan (2001).

Archaeology

Paragraph 128 of the NPPF states that in determining planning applications local planning authorities should require developers to submit appropriate desk-based archaeological assessments and if necessary a field evaluation. Additionally paragraph 129 states that local planning authorities should identify and assess the particular significance of a heritage asset that may be affected by the proposal and avoid or minimise the conflict upon the heritage asset. This is additionally supported by saved Policies BE13 and 14 of the Hinckley & Bosworth Local Plan.

Initially an objection was raised by Leicestershire County Council Archaeology on grounds of inadequate information concerning the impact of the development upon the potential archaeological features of the site.

In agreement with Leicestershire County Council Archaeology, additional investigative work was undertaken in the form of trial trenching. This investigation revealed the presence of archaeological remains within the application site including 16-17th central boundary ditches and medieval pottery.

It is therefore concluded that the proposed development would impact archaeological remains within the application site. This said, Leicestershire County Council Archaeology is satisfied that these remains could be adequately recorded through phasing of the archaeological investigation prior to the commencement of development. Therefore the objection has been removed subject to a condition in regards to additional archaeological work.

It is therefore considered that the application will not have a detrimental impact upon the historic environment and is therefore in accordance with paragraphs 128 and 129 of the NPPF and policies BE13 and 14 of the Hinckley & Bosworth Local Plan (2001).

Developer Contributions

Policies IMP1 and REC3 of the adopted Local Plan and the Play and Open Space SPD require new residential development to contribute towards the provision and maintenance of public play and open space facilities for children. The requirement for any developer must be considered alongside the guidance contained within the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations confirm that where developer contributions are requested they need to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed. However, on 28th November 2014 the Secretary of State announced revisions to s.106 and CIL contributions and the NPPG. Following the announcement of the Secretary of State, the Council's ability to request affordable housing and other tariff style s.106 contributions on smaller sites (which would include play and open space contributions) has been removed. Such contributions can not now be sought on developments less than 10 dwellings and therefore no contribution has been pursued in this case.

Issues raised within the letters of neighbour representation, not considered elsewhere in the report:-

Neighbourhood responses have raised concerns that the land is agricultural or has an agricultural tie. Currently the land is being used as residential curtilage and a search of the planning history of the site finds no agricultural ties for the land or Park House. Additionally the applicant has confirmed the site does not contain a covenant which restricts the use of the land to agricultural purposes.

Conclusion

In conclusion the principle of development in this location is considered to be acceptable and in line with national and local planning policy.

The proposed access is considered acceptable and in line with highway standards and is therefore in accordance with policy T5 and appendix D of the Hinckley & Bosworth Local Plan (2001).

The proposed layout is considered to be in keeping with the existing development on Main Street and due to the amendments made to the scheme it is considered the proposal will not detrimentally affect the amenity of the neighbouring residential properties. The application is therefore in accordance with policy BE1 of the Hinckley & Bosworth Local Plan (2001).

RECOMMENDATION:- Grant subject to conditions.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below according to their degree of consistency with the National Planning Policy Framework, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as the principle of development is considered acceptable, the proposal would not have significant detrimental visual or landscape impact, , would not impact upon residential amenity, highway safety, , flood risk or historic assets and would therefore be acceptable.

Hinckley & Bosworth Core Strategy (2009):- Policies 12, 19 and 24.

Hinckley & Bosworth Local Plan (2001):- Policies IMP1, REC3, RES5, NE5, NE13, BE1, BE13, BE14 and T5.

In dealing with the application, through the receipt of amended plans, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions :-

- 1 Application for the approval of reserved matters shall be made within three years from the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.
- 2 Approval of the following details (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced:-
 - a) The scale of each building proposed in relation to its surroundings.
 - b) The appearance of the development including the aspects of a building or place that determine the visual impression it makes.
 - c) The landscaping of the site including treatment of private and public space to enhance or protect the site's amenity through hard and soft measures.
- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plan, Plan C - Proposed Location Plan Rev 1 received 5 March 2015 and Plan A - Site Location Plan submitted 15 December 2014.

- 4 Development shall not begin until the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved proposed ground levels and finished floor levels.
- 5 Development shall not begin until representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings shall be submitted to and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.
- 6 Development shall not begin until surface water drainage details and calculations, incorporating sustainable drainage principles (SuDS) have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the full details prior to the completion of development.
- 7 The shared private drive shall be a minimum of 4.8 metres wide for at least 5 metres behind the highways boundary and have a drop crossing of a minimum size as shown in Figure DG20 of the 6CsDG at its junction with the adopted road carriageway. The access drive shall be provided before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained.
- 8 The existing access from Park View shown on the site layout plan shall be permanently closed incorporating the reinstatement to full height of the footway within 7 days of the proposed new access being brought into use.
- 9 Before first occupation of the dwellings hereby permitted, car parking shall be provided, hard surfaced and made available for use to serve the dwelling on the basis of 2 spaces for a dwelling with up to three bedrooms and 3 spaces for a dwelling with four or more bedrooms. The parking spaces provided shall be retained in this form at all times. The parking spaces shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 10 Before first occupation of the dwelling hereby permitted, its access drive and any turning space shall be surfaced with a hard bound porous material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.
- 11 Development shall not begin until a full Tree Survey to BS5837:2012 shall be submitted to and approved in writing by the local planning authority. This report shall include details upon the retention and removal of trees and mitigation measures to protect retained trees during construction, including those outside the application site but adjoining the access. The development shall be implemented in accordance with the full details of the approved survey.
- 12 Development shall not begin until details of all boundary treatments are submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reasons :-

- 1 To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

- 2 This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal in accordance with the requirements of Part 3 (5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 3 For the avoidance of doubt and in the interests of proper planning.
- 4&5 To ensure that the development has a satisfactory appearance and in the interests of visual amenity to accord with Policy BE1 (criterion a) of the adopted Hinckley & Bosworth Local Plan.
- 6 To minimise the risk of flooding to accord with Policy NE13 of the adopted Hinckley & Bosworth Local Plan.
- 7 To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway in accordance with the 6C's Design Guidance.
- 8 To ensure the removal of unnecessary points of traffic conflict in the highway in the interests of highway safety, in accordance with Policy T5 of the adopted Hinckley & Bosworth Local Plan.
- 9 To ensure that adequate off-street car parking facilities are provided to serve the dwelling hereby permitted in the interests of highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 10 To avoid displacement of loose material onto the highway in the interests of highway safety and to ensure that drainage is sustainable in accordance with policy T5 of the Local Plan.
- 11&12 To ensure that the development is not detrimental to the appearance and visual amenity of the area, in accordance with Policy BE1 (criterion a) of the adopted Hinckley & Bosworth Local Plan.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Helen Wilson **Ext** 5691