

**Planning Committee 24 May 2016
Report of the Chief Planning and Development Officer**



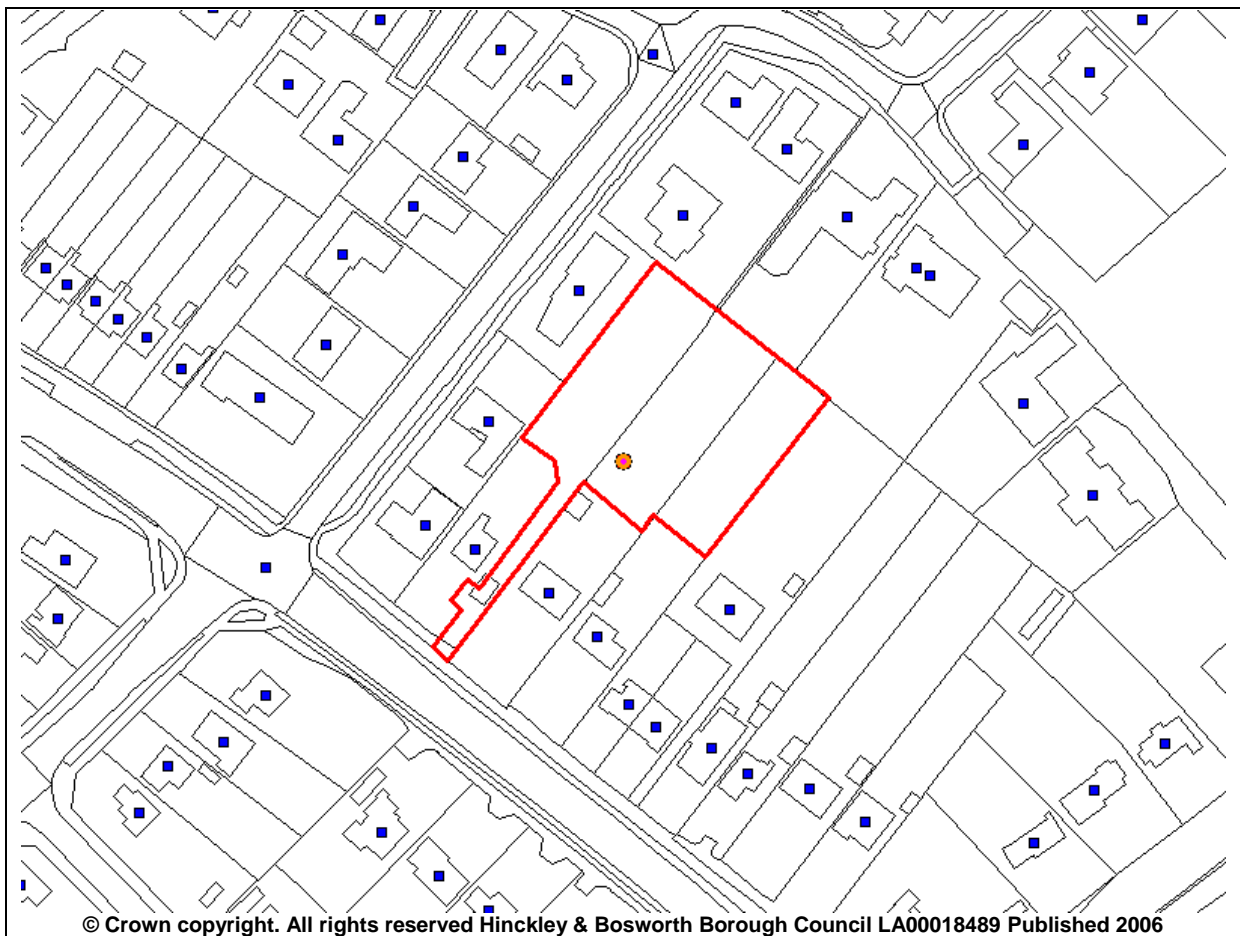
Hinckley & Bosworth
Borough Council

A Borough to be proud of

Planning Ref: 16/00178/FUL
Applicant: Mr Shaun Hussey
Ward: Burbage St Catherines & Lash Hill

Site: Land To The Rear Of 25 & 27 Burbage Road
Burbage

Proposal: Subdivision of rear gardens of No's. 25, 27 and 29 and erection of four dwellings and erection of single garages for No's. 25 & 27



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1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. This application seeks full planning permission for the erection of four detached dwellings, garages and the formation of associated access on land to the rear of 25, 27 and 29 Burbage Road, Burbage.

- 2.2. The proposed four bedroom dwellings would be positioned on a slightly staggered building line across the middle of the plot with a footprint of between 9 - 11 metres in overall width and 11 – 12 metres in overall depth. They would be two storeys in height and designed with a mix of traditional and hipped roofs with an eaves height of 5 metres and ridge heights of 8.6 metres (house types A, B1 and B2) and 8 metres (house type C). Two double garages are proposed to the front corners of the site to serve plots 1 and 4 (house types A and C). The two central plots 2 and 3 (house types B) would have integral garages. Two single garages are proposed to the rear of No. 27 to serve that dwelling and to the front of No. 25 to replace the garage demolished to form the proposed shared access between Nos 25 and 27 Burbage Road.
- 2.3. A Planning Statement, Transport Statement and Tree Survey have been submitted to support the application.
- 2.4. Amended plans have been submitted to reduce the scheme from five to four new dwellings, to address issues raised in respect of the layout, design, impact on neighbouring properties and access issues. Re-consultation has been undertaken.

3. Description of the Site and Surrounding Area

- 3.1. The site is located within the settlement boundary of Burbage to the north east side of Burbage Road and measures approximately 0.23 hectares (including the access). It is rectangular in shape being approximately 47 metres wide and 42 metres deep with a 23 metres long access drive off Burbage Road. The site currently forms the rearmost sections of the long gardens of 25, 27 and 29 Burbage Road and is enclosed and divided by a variety of fencing, hedgerows and planting of varying height. There are a number of trees, mostly towards the perimeter or just outside the site.
- 3.2. The site is surrounded by residential development of predominantly detached dwellings of varying scale, designs and appearance within a variety of plot sizes including a detached bungalow in what appears to be a subdivided plot to the rear of Nos. 31 and 33 Burbage Road.

4. Relevant Planning History

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. Responses have been received from 16 separate addresses raising objections to the scheme on the following grounds:-
1. inappropriate back land development that would adversely affect the character of the area
 2. high density/overdevelopment of the site not in keeping with the surrounding area
 3. Core Strategy housing target has been exceeded and additional houses are not required in Burbage
 4. overbearing impact and loss of light and open aspect to the detriment of the amenities of neighbouring properties

5. loss of privacy from overlooking to the detriment of the amenities of neighbouring properties
6. increase in vehicle movements and traffic congestion in close proximity to a busy junction on Burbage Road that suffers tailbacks
7. lack of parking facilities
8. tight access for emergency vehicles
9. will result in additional pressure on local services and infrastructure
10. some trees were removed prior to the Tree Survey

5.3. Burbage Parish Councillor Ann Hall raises objections on the following grounds:-

1. contrary to national guidance and local planning policies
2. back land development that would adversely affect the character of the neighbourhood
3. not in keeping with the density, plot sizes or individual designs of surrounding dwellings
4. overshadowing and overbearing impact on the amenity of the occupiers of an adjacent dwelling
5. adverse impacts on highway safety and pedestrian safety due increased use of access and proximity to a busy, congested junction that suffers tailbacks.

5.4 The re-consultation period on amended plans remains open at the time of writing and closes on 20 May 2016. Any further consultation responses received before the closing date will be reported and appraised as a late item.

6. Consultation

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

Leicestershire County Council (Highways)
 Severn Trent Water Limited
 Environmental Health (Pollution)
 Environmental Health (Drainage)
 Street Scene Services (Waste)
 Arboricultural Officer

6.2. Burbage Parish Council raise objections to the application on the following grounds:-

1. incongruous and uncomplimentary back-land development that would adversely affect the character of the neighbourhood
2. not in keeping with the density, plot sizes, scale or individual architectural designs of surrounding dwellings
3. detrimental effect on the amenities of the occupiers of neighbouring properties
4. increase in activity and vehicle movements resulting in an increase in noise and disturbance and detriment to the amenities of the occupiers of neighbouring properties
5. highway and pedestrian safety concerns due to proximity to a busy, congested junction that suffers tailbacks and is a route used by school children
6. limited access/turning for larger/emergency vehicles within site
7. adverse impacts on neighbours amenities and highway and pedestrian safety during construction phase
8. lack of any ecology survey.

7. Policy

- 7.1. Local Plan 2006 – 2026: Core Strategy (2009)
- Policy 4: Development in Burbage
 - Policy 24: Sustainable Design and Technology
- 7.2. Hinckley and Bosworth Local Plan (2001)
- Policy BE1: Design and Siting of Development
 - Policy RES5: Residential Proposals on Unallocated Sites
 - Policy NE14: Protection of Surface Waters and Ground Water Quality
 - Policy T5: Highway Design and Vehicle Parking Standards
- 7.3. Emerging Site Allocations and Development Management Policies DPD Submission Version (Dec 2014)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM17: Highway Design
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2012)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Supplementary Planning Guidance on New Residential Development (SPG)
 - Burbage Village Design Statement (BVDS) Supplementary Planning Document (SPD)

8. Appraisal

- 8.1. Key Issues
- Assessment against strategic planning policies
 - Impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway and pedestrian safety
 - Other issues

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 taking and that the NPPF is a material consideration in determining applications.
- 8.3. The development plan in this instance consists of the adopted Core Strategy (2009) and the saved policies of the adopted Local Plan (2001). The Site Allocations and Development Management Policies (SADMP) Development Plan Document has been submitted to the Secretary of State for examination in public which took place at the end of September 2015. Following the examination hearings the Planning Inspector has proposed a number of 'Main Modifications' to the document which have been subject to further public consultation (to 18 March 2016). Now that the SADMP has been submitted to the Secretary of State and has been through examination in public, weight can now be afforded to those emerging policies.

- 8.4. Objections have been received that the Core Strategy housing allocation for Burbage has been exceeded and that there is no requirement for additional housing in Burbage.
- 8.5. The application site is located within the settlement boundary of Burbage as defined in the adopted Local Plan and the emerging SADMP where there is a presumption in favour of residential development provided by saved Policy RES5 of the adopted Local Plan. In addition, Policy 4 of the adopted Core Strategy supports development in Burbage to deliver a minimum of 295 new homes. Notwithstanding that the number of dwellings for Burbage supported by Policy 4 has been exceeded (as at 1 October 2015), it is a minimum number and the scale of proposed development for just four additional dwellings would not adversely affect the spatial vision for the settlement.
- 8.6. Policy DM1 of the emerging SADMP and the National Planning Policy Framework (NPPF) in paragraph 14 provide a presumption in favour of sustainable development. Paragraph 7 of the NPPF states that sustainable development has three interacting dimensions:- the social, economic and environmental roles.
- 8.7. The site is located within a sustainable urban location surrounded by existing residential development and within a reasonable distance of services and facilities. The proposal would provide a small contribution to the social role of sustainable development by providing four additional dwellings towards the overall housing supply for the Borough. The construction and sale of the development and its future ongoing occupation would also provide a small contribution to the local economy.
- 8.8. The environmental role of sustainable development requires proposals to protect or enhance the natural and built environment. The site is not identified as having any environmental or ecological significance. However, paragraph 53 of the NPPF suggests that local authorities should consider setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Therefore, regard must be had to the impact of the scheme on the character of the surrounding area. This is discussed below.

Impact upon the character of the area

- 8.9. Saved Policy BE1 (criterion a) of the adopted Local Plan and Policy DM10 (criterion c) of the emerging SADMP seek to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features with the intention of preventing development that is out of keeping with the character of the surrounding area.
- 8.10. The Council's adopted Supplementary Planning Guidance (SPG) on New Residential Development aims to ensure that new development has regard to the character of the surrounding area and is well integrated into its surroundings.
- 8.11. Burbage Village Design Statement identifies this section of Burbage Road as being a 'mature area' comprising properties of varying age, styles and designs. This SPD seeks to protect such areas from inappropriate development that would harm the character of such areas with regard to plot size, building form, building siting, density, design styles and landscaping.
- 8.12. The NPPF in paragraph 17 seeks to secure high quality of design and paragraph 56 states that good design is a key aspect of sustainable development. Paragraph 58

seeks to ensure that development responds to local character and reflects the identity of local surroundings. Paragraph 64 states that permission should be refused for development of poor design that fails to improve the character or quality of an area and the way it functions.

- 8.13. Objections have been received that the proposal would result in an incongruous and uncomplimentary form of back land development and high density overdevelopment of the site that would adversely affect the character of the area and would be out of keeping with neighbouring development in terms of plot size, scale and individual design and appearance.
- 8.14. The development of the site and additional built form would clearly change the current undeveloped garden character of the application site. However, public views into the site are extremely limited and there are a variety of plot sizes and shapes within the immediate vicinity. The proposed density (approximately 17 dwellings per hectare) and plot sizes would not be significantly dissimilar to some of those of surrounding development. In respect of the back land nature of the proposal, there is an existing bungalow located to the rear of Nos. 31 and 33 with an access off Burbage Road that has already eroded the undeveloped garden character of the area to some degree. Therefore, notwithstanding the additional built form, the proposed scheme would not be overly prominent from any public areas and the harm to the character of the surrounded area would be limited.
- 8.15. There are a variety of scales, designs and styles in the surrounding area. The amended designs of the proposed two storey dwellings include a mix of traditional and hipped roof designs and include a number of architectural features (subordinate two storey projecting gables, bay windows, chimneys, headers and sills) and the use of a variety of external materials including brick and render that would add interest to the development and enhance its appearance. As no specific external materials have been submitted a condition would be necessary to ensure a satisfactory appearance. The scale and amended design and appearance of the dwellings would complement the varied, individual traditional designs and styles of surrounding development. The proposed layout for four new dwellings would provide adequate private amenity space and off-street parking for the existing dwellings and each new plot in excess of adopted SPG and highway design guidance standards and would not result in overdevelopment of the application site.
- 8.16. By virtue of the layout, scale and amended design of the proposed dwellings, the proposal would be in accordance with Policy BE1 (criterion a) of the adopted Local Plan, Policy DM10 (criterion c) of the emerging SADMP, adopted SPG on New Residential Development and the overarching design principles of the NPPF and would have limited conflict with the design guidance within the Burbage Village Design Statement in this case.

Impact upon neighbouring residential amenity

- 8.17. Saved Policy BE1 (criterion (i) of the adopted Local Plan, Policy DM10 (criterion a) of the emerging SADMP and SPG on New Residential Development require that development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties. The NPPF in paragraph 17 seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.
- 8.18. Objections have been received on the ground that the proposal would result in overbearing/overshadowing impacts, loss of light and open aspect, loss of privacy from overlooking and an increase in noise and disturbance from activity and vehicle

movements to the detriment of the amenities of the occupiers of neighbouring properties.

- 8.19. 18 Elm Tree Drive is a detached bungalow with a steeply pitched roof located to the north west of the application site. It has habitable room windows facing south east towards the site and a narrow rear garden of between 3 and 7 metres. The boundary with the application site is enclosed by a 2 metre high timber panel fence. Some of the windows in the rear elevation of No. 18 would face towards the rear garden of proposed Plot 1. Those windows that would face the blank side elevation of the proposed dwelling would be 14 metres from the two storey elevation and 12 metres from the single storey elevation in accordance with the separation distance guidelines within the adopted SPG on New Residential Development. By virtue of the separation distances, inset from the site boundary, hipped roof design and blank first floor side elevation, Plot 1 would have no material adverse overshadowing or overbearing impacts or result in any loss of privacy from overlooking on the amenities of the occupiers of No. 18.
- 8.20. 19 Elm Tree Drive is a detached dormer bungalow located to the south west of the application site. The boundary with the application site is enclosed by a 2 metre high timber panel fence. The front elevation windows of Plot 1 would be 18 metres from the rear elevation of No. 19 and offset by 7 metres from the rear garden. By virtue of the separation distance and the offset position from No. 19, Plot 1 would have no material adverse overshadowing or overbearing impacts or result in any loss of privacy from overlooking on the amenities of the occupiers of No. 19.
- 8.21. 35 Burbage Road is a detached bungalow located in an extensive plot to the south east of the application site. The boundary is defined by a thick conifer hedgerow of 2 metres in height. The front elevation windows of Plot 4 would be 15 metres from the rear elevation of No. 35 and offset by 7 metres. The only side elevation window facing No. 35 would be to a staircase. A condition could be imposed requiring that the window be non-opening and obscurely glazed at all times to prevent any loss of privacy from overlooking. By virtue of the separation distance, offset position and the hipped roof design, Plot 4 would have no material adverse overshadowing or overbearing impacts or result in any loss of privacy from overlooking on the amenities of the occupiers of No. 35.
- 8.22. The separation distance from the rear elevations of the four proposed dwellings to the rear gardens of existing dwellings on The Coppice and Elm Tree Drive would be a minimum of 15 metres and the separation distance to opposing habitable room windows would be over 30 metres in excess of adopted SPG standards.
- 8.23. The separation distance from the front elevation windows of the four new dwellings to the rear gardens of existing dwellings fronting Burbage Road would be between 12 and 15 metres and the separation distance to opposing habitable room windows would be over 35 metres in excess of adopted SPG standards.
- 8.24. The scheme would introduce vehicle movements along the side and rear boundaries of the host properties and neighbouring gardens. However, by virtue of the small scale of the development for only four new dwellings and subject to the provision of appropriate boundary treatments, noise and disturbance from additional traffic movements would not be so severe to materially affect the amenities of neighbouring occupiers. Noise and disturbance during the construction phase would be temporary in nature and therefore would not have any long term impacts on the amenities of the occupiers of any neighbouring residential properties.

- 8.25. The proposal would not result in any material adverse impacts on the amenities of any neighbouring properties and therefore would be in accordance with saved Policy BE1 (criterion i) of the adopted Local Plan, Policy DM10 (criterion a) of the emerging SADMP and the adopted SPG on New Residential Development.

Impact upon highway and pedestrian safety

- 8.26. Saved Policies BE1 (criterion g) and T5 of the adopted Local Plan Policies and Policies DM17 and DM18 of the emerging SADMP require development to accord with adopted highway design and vehicle parking standards to ensure that there is adequate highway visibility for road users and adequate provision of off-street parking and manoeuvring facilities. Paragraph 32 of the NPPF states that a safe and suitable access to sites should be achieved and that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.27. Objections to the scheme have been received on the grounds of highway and pedestrian safety as a result of additional traffic movements to and from an access that is in close proximity to a busy congested junction subject to tailbacks, inadequate parking provision and access for emergency and construction vehicles.
- 8.28. The scheme proposes a 4.8 metres wide access for the first 5 metres behind the highway boundary to serve the four new dwellings and the host dwellings either side, reducing to 4.25 metres for the remainder of its length to serve the four new dwellings. The proposed access width is in accordance with adopted highway design guidance for the scale of development. Pedestrian visibility splays are proposed at the junction of the access and the wide highway verge on Burbage Road would enable adequate forward visibility to be achieved to mitigate highway and pedestrian safety concerns. A condition could be imposed to ensure appropriate access surfacing. The proposed layout would provide adequate off-street vehicle parking (three spaces) and turning within the site for each plot in accordance with adopted highway design guidance for four bedroom dwellings. The host dwellings would retain adequate parking and turning space.
- 8.29. In response to the objections received in respect of the close proximity of the proposed access to a busy and congested junction subject to tailbacks, the scheme has been assessed by Leicestershire County Council (Highways). The Highway Authority acknowledges that queueing at the traffic signals is likely to occur, particularly during rush hour periods, which may cause delays to occupiers wishing to turn right out of the access. However, having regard to accident data in the vicinity of the signalled junction (two slight accidents within the last five years), the presence of existing anti-skid surfacing together with conditions to ensure that the access complies with adopted highway design guidance, the Highway Authority consider that the cumulative impacts of a small scale development for only four new dwellings can be mitigated, would not increase the risk of accidents occurring at the site and are not considered severe.
- 8.30. The Highway Authority therefore raise no objections to the scheme in respect of either highway or pedestrian safety subject to a number of standard highway related conditions to control access width, surfacing and gates, pedestrian visibility splays, parking and turning provision, closure of redundant vehicle accesses and a construction traffic/site traffic management plan. The conditions would be reasonable and necessary in this case to ensure satisfactory development of the site.

- 8.31. The scheme would not result in any adverse impacts on highway or pedestrian safety and would therefore be in accordance with saved Policies BE1 (criterion g) and T5 of the adopted Local Plan Policies and Policies DM17 and DM18 of the emerging SADMP.

Other issues

- 8.32. Objections have been received on the grounds that trees have been removed prior to the tree survey and that no ecology or bat surveys have been submitted. However, none of the trees on site were protected and those trees remaining within or immediately adjacent to the site that contribute to visual amenity are to be retained. The Council's Arboricultural Officer raises no objection to the amended scheme layout. The site is not within an area that would trigger a requirement for an ecology survey to be submitted with the application.
- 8.33. Objections have been received that the scheme would result in additional pressures on local infrastructure and services. The application site is not within 400 metres of any public play and open space facilities and a development for only four new dwellings does not trigger a requirement for any other infrastructure contributions.
- 8.34. Severn Trent Water Limited does not object subject to the imposition of a standard condition to require the submission of drainage details for prior approval. A condition would be reasonable and necessary to ensure satisfactory drainage of the site to accord with Policies DM7 of the emerging SADMP and saved Policy NE14 of the adopted Local Plan.
- 8.35. Environmental Health (Pollution) do not object to the scheme but recommend a condition requiring the submission of a scheme to monitor and remediate any landfill gas for prior approval to protect the future occupiers of the site. By virtue of the proximity of a known landfill site the condition would be reasonable and necessary to ensure safe development and occupation of the site to accord with Policy DM7 of the emerging SADMP and saved Policy BE1 (criterion c) of the adopted Local Plan.
- 8.36. Street Scene Services (Waste) recommend a condition to require the submission of details of a suitably located refuse and recycling collection point at the highway boundary. The amended layout would include a shared collection point between 2 and 12 metres from the highway boundary which would comply with good practice guidance within both manual for Streets and BS 5906:2005. Therefore a condition would not be necessary.

9. Conclusion

- 9.1. The application site is in a sustainable location within the settlement boundary of Burbage close to services and facilities where residential development is generally acceptable in principle and, notwithstanding the subdivision of three large gardens, would contribute to the social and economic roles of sustainable development whilst having no material adverse impacts on the environment.
- 9.2. By virtue of the proposed layout, scale and amended design and subject to the use of appropriate external materials to ensure a satisfactory appearance, the scheme would not result in any material adverse impacts on the character of the surrounding area, the amenities of the occupiers of any neighbouring properties or highway safety. Appropriate conditions can be imposed to ensure satisfactory development of the site.

9.3. The proposed scheme would be in accordance with Policy 4 of the adopted Core Strategy, saved Policies BE1 (criteria a, g and i), RES5 and T5 of the adopted Local Plan, Policies DM1, DM10, DM17 and DM18 of the emerging SADMP and the SPG on New Residential Development together with the overarching principles of the NPPF. The proposal is therefore recommended for approval subject to conditions.

10. Recommendation

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

- Planning conditions outlined at the end of this report.

10.2. In dealing with the application, through ongoing negotiation the local planning authority has 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.

10.3. 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 51 of 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 Drawing No. BRH/LP_/110B and Site Context Plan Drawing No. BRH/CP_/111C received by the local planning authority on 19 April 2016; Site Layout Plan Drawing Nos. LP_BRH/02D and BRH/LP/100J, Street Elevation Drawing No. BRH/SE/10C, House Type A Drawing No. BRH/HT_A/01A, House Type B1 Drawing No. BRH/HT_B/01D, House Type B2 Drawing No. BRH/HT_B/02D and House Type C Drawing No. BRH/HT_C/01B received by the local planning authority on 9 May 2016; and Garages Drawing No. BRH/HT_G/01A received by the local planning authority on 18 April 2016.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwellings and garages 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 to accord with Policy DM10 (criteria c) of the emerging Site Allocations and Development Management Policies Development Plan Document and saved Policy BE1 (criterion a) of the adopted Hinckley & Bosworth Local Plan.

4. No development shall commence on site until such time as 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 approved proposed ground levels and finished floor levels.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity to accord with Policy DM10 (criteria c) of the emerging Site Allocations and Development Management Policies Development Plan Document and saved Policy BE1 (criterion a) of the adopted Hinckley & Bosworth Local Plan.

5. No development shall commence on site until drainage plans and details for the disposal of surface water, incorporating sustainable drainage principles (SuDS), and foul sewerage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution to accord with Policy NE14 of the adopted Hinckley and Bosworth Local Plan.

6. No development approved by this permission shall be commenced until a scheme for the monitoring of landfill gas on the site has been submitted to and agreed in writing by the local planning authority which shall include details of how any landfill gas 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 protect the future occupiers of the site to accord with Policy DM7 of the emerging Site Allocations and Development Management Policies Development Plan Document and Policy BE1 (criterion c) of the adopted Hinckley and Bosworth Local Plan.

7. Notwithstanding the submitted details, prior to any development commencing on site, full details of all boundary enclosure measures and an implementation schedule shall be submitted to and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved details.

Reason: To protect the privacy and amenity of neighbouring occupiers and future occupiers of the site and in the interests of visual amenity to accord with Policy DM10 (criteria a and c) of the emerging Site Allocations and Development Management Policies Development Plan Document and Policy BE1 (criteria a and i) of the adopted Hinckley & Bosworth Local Plan.

8. The shared private drive shall be a minimum of 4.8 metres wide and shall be surfaced with tarmacadam or similar hard bound material (not loose aggregate) for at least the first 5 metres behind the highway boundary and thereafter a minimum of 4.25 metres wide. The access drive shall be so provided before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained.

Reason: In the interest of highway safety to ensure that vehicles entering and leaving the site may pass each other clear of the highway and to reduce the possibility of deleterious material (loose stones etc.) being deposited in the

highway to accord with Policy DM17 of the emerging Site Allocations and Development Management Policies Development Plan Document and Policy T5 of the adopted Hinckley and Bosworth Local Plan.

9. No development shall commence on site until a scheme for the permanent closure of all redundant existing vehicular accesses and reinstatement of the crossings to highway footway and verge have been submitted to and approved in writing by the local planning authority. The scheme shall then be implemented and completed within one month of the new access first being brought into use.

Reason: To reduce the number of potential conflict points in the interests of pedestrian safety to accord with Policy DM17 of the emerging Site Allocations and Development Management Policies Development Plan Document and Policy T5 of the adopted Hinckley and Bosworth Local Plan.

10. Before first use of the development hereby permitted, 1.0 metre by 1.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access at its junction with Burbage Road with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway. Once provided the splays shall be permanently so maintained at all times thereafter.

Reason: In the interests of pedestrian safety to accord with Policy DM17 of the emerging Site Allocations and Development Management Policies Development Plan Document and Policy T5 of the adopted Hinckley and Bosworth Local Plan.

11. Prior to the first occupation of any of the dwellings hereby permitted, the off-street vehicle parking and turning spaces shall be provided in accordance with the approved Layout Plan A Drawing No. LP_BRH/02D received by the local planning authority on 9 May 2016 and once provided shall be so maintained and retained for such use at all times thereafter.

Reason: To ensure that adequate off-street parking and turning provision is made in the interests of highway safety to accord with Policy DM18 of the emerging Site Allocations and Development Management Policies Development Plan Document and Policy T5 of the adopted Hinckley and Bosworth Local Plan.

12. No vehicle access gates, barriers, bollards, chains or other obstructions shall be erected within 5 metres of the adopted highway boundary.

Reason: To ensure that vehicles entering the site can pull clear of the highway in the interests of highway and pedestrian safety in accordance with Policy DM17 of the emerging Site Allocations and Development Management Policies Development Plan Document and Policy T5 of the adopted Hinckley and Bosworth Local Plan.

13. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including hours of work, working practices, wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To protect the amenities of the occupiers of neighbouring properties and in the interests of highway and pedestrian safety to accord with Policies DM10 (criterion a) and DM17 of the emerging Site Allocations and Development Management Policies Development Plan Document and Policies BE1 (criterion i) and T5 of the adopted Hinckley and Bosworth Local Plan.

14. Notwithstanding the submitted details, the first floor landing window on the south east side elevation of House Type A (Plot 4) facing 35 Burbage Road shall be non-opening and fitted with obscure glazing and once so provided shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of the neighbouring dwelling from potential overlooking in accordance with Policy DM10 (criterion a) of the emerging Site Allocations and Development Management Policies Development Plan Document and Policy BE1 (criterion i) of the adopted Hinckley and Bosworth Local Plan.

10.4. **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. Application forms to discharge conditions and further information can be found on the planning portal website www.planningportal.gov.uk.
3. Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
4. The application indicates that surface water from the development will discharge into the main sewer which would not be acceptable without exploring other more sustainable methods in accordance with Building Regulations (Part H).
5. This planning permission does NOT allow you to carry out access alterations within the highway. The highway boundary is the wall/hedge/fence etc. fronting the premises and not the edge of the carriageway/road. Before any such work can begin, separate permits or agreements will be required under the Highways Act 1980 from the Infrastructure Planning team. For further information, including contact details, you are advised to visit the Leicestershire County Council website: - see Part 6 of the '6Cs Design Guide' at www.leics.gov.uk/6csdg or telephone (0116) 3050001.
6. The proposal is situated in excess of 45 metres from the highway. In order to cater for emergency vehicles the drive and any turning areas shall be constructed so as to cater for a commercial or service vehicle in accordance with British Standard B.S.5906, 2005 and Building Regulations Approved Document B, Fire Safety 2006.