

Planning Committee 16 August 2016
Report of the Chief Planning and Development Officer



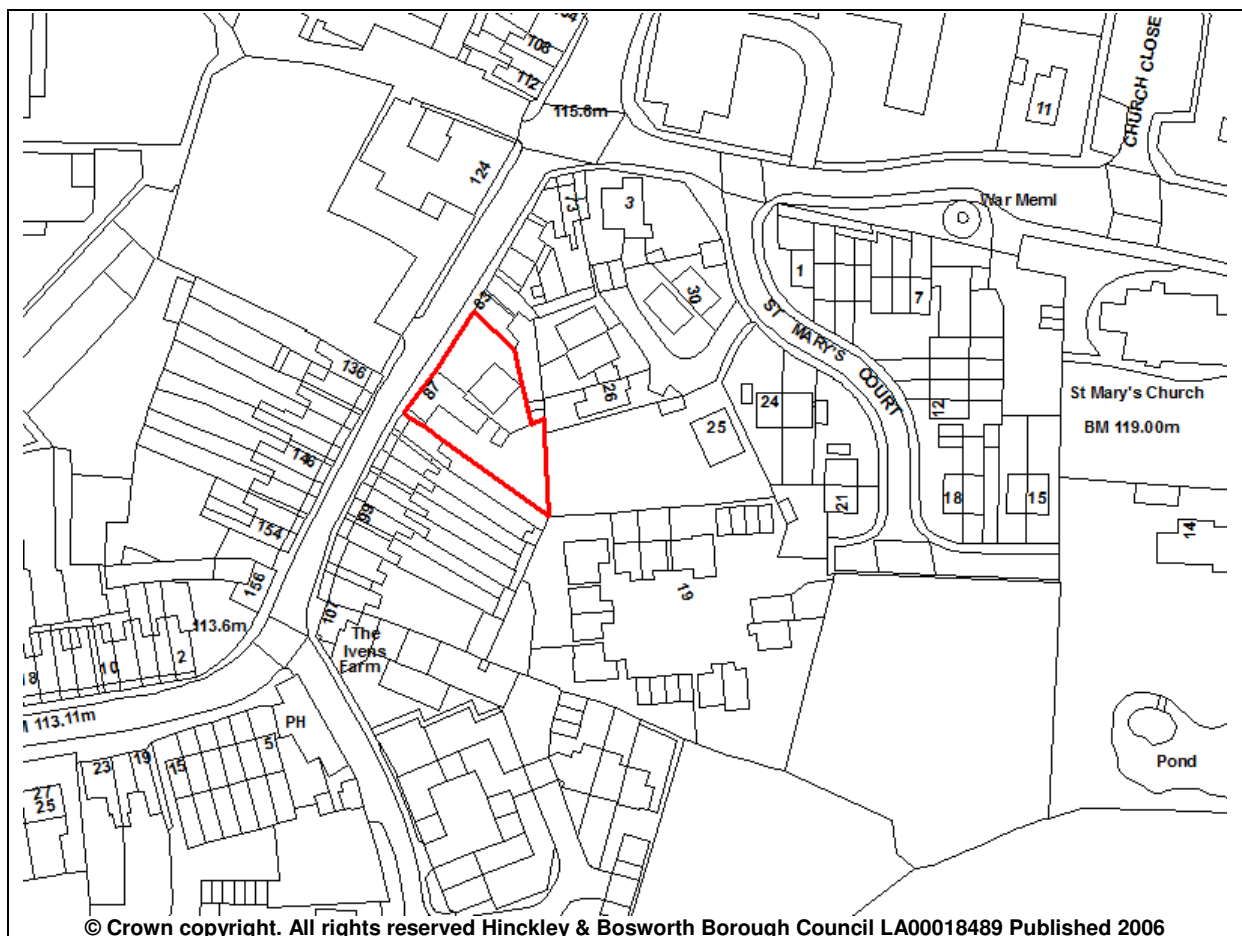
Hinckley & Bosworth
Borough Council

A Borough to be proud of

Planning Ref: 15/01119/FUL
Applicant: Mr Ranvir Singh Rai
Ward: Barwell

Site: 87 High Street Barwell

Proposal: Extensions/alterations to existing 2 no. retail units and 1 no. residential unit to form 1 no. retail units and 5 no. self contained apartments



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

1.2. That the Chief Planning and Development Officer be given powers to determine the final detail of planning conditions.

2. Planning Application Description

2.1. This application seeks full planning permission for the retention of one retail unit with an increase in footprint in the form of a proposed rear extension. The existing

shop front would be widened and would feature timber framing and internally installed window shutters. The existing building and façade would remain, with a number of proposed extensions and alterations to create the retail unit and the provision of 5 flats. The proposal seeks to raise the existing ridge height of the existing building from 6.6 metres to approximately 7.6 metres; a two storey side extension would project approximately 6.3 metres from the existing gable end, with a single storey bin store and mono pitched roof attached to the extension. The side extension would be positioned below the proposed ridge height of the existing building. It would also be set back from the principal, road frontage elevation. To the rear of the building, a two storey rear extension would project from the rear wall of the original building, reducing to a single storey element.

- 2.2. Vehicular access would be in a similar position to the existing, situated to the north of the application site. The access point would lead to a rear parking and manoeuvring area to accommodate 7 off-street car parking spaces and a new cycle store to serve the development.
- 2.3. Amendments have been secured following consultation responses and officer negotiations on the application. The amendments reduce the number of retail units from 2 to 1, and the number of flats from 6 to 5. The amendments also seek to retain the existing building, alterations to the access and parking arrangement, and relocation of the proposed bin store. A full 21 day re-consultation was carried out.

3. Description of the Site and Surrounding Area

- 3.1. The site is located to the east side of High Street within the settlement boundary of Barwell and within the Barwell Conservation Area. The two storey dwelling and retail building is a double fronted building with cream-painted render with slate roof. The building is located at the rear edge of the public footpath. To the north east of the building within the application site, is an existing large detached garage. The garage is also finished in cream-painted render with concrete roof tiles. The garage is currently used for storage and has two roller shutter doors within the front elevation. The garage is set back from the highway approximately by 8.5 metres and has a hardstanding to the front for the parking of vehicles associated with the property. The garage and hardstanding is bordered by another, separately-owned, dwelling fronting the highway. The dwelling has a ground floor habitable room window in the ground floor and a first floor bedroom window overlooking the area hardstanding.

4. Relevant Planning History

94/00239/FUL	Erection of garage extension to shop/living accommodation	Permitted	19.04.1994
08/00558/COU	Change of use from a double garage to a retail unit and the existing retail unit converting back to residential.	Permitted	22.07.2008
08/00572/FUL	Erection of detached garage and canopy link	Permitted	29.07.2008

08/00757/COU	Part change of use of a double garage to a class a1 retail unit and conversion of the existing retail unit to residential (re-submission of 08/00558/COU).	Permitted	05.09.2008
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5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and 12 letters of objections have been received raising the following concerns:-

- 1) Increase of on street parking, as the proposal would build upon the existing parking area serving the building
- 2) Close proximity to a school and a residential care home and this would exacerbate parking in the side roads causing a highway danger to children and elderly crossing the roads
- 3) There have been 3 accidents to the frontage of No.87 and a fourth involving the neighbouring lamp post
- 4) Over development of the site and infilling. There are sufficient apartments and residential developments being delivered in Barwell
- 5) Will cause stress and ill health
- 6) Crash barrier should be conditioned to protect neighbouring dwelling
- 7) High Street Barwell is narrow due to the amount of on street parking and is extremely busy and this proposal would result in an increase highway danger
- 8) Parking layout will cause issues with resident parking spaces being blocked in by those using the shop
- 9) Likely to result in damage to neighbouring dwellings
- 10) Close proximity of the building would result in loss of light
- 11) Entrance proposed will bring cars in close proximity to neighbouring dwelling causing noise and disturbance
- 12) Previous work carried out on the car park has caused damage to neighbouring property and this application should seek to rectify that matter.
- 13) Does not propose sufficient parking spaces
- 14) Access does not afford adequate visibility
- 15) Not a need for a retail unit in this location
- 16) Bin store is sited inappropriately
- 17) An increase of litter
- 18) Noise pollution from the flats
- 19) Concreting of the rear of the site could cause flooding issues
- 20) May cause damage to adjoining boundary walls.

6. Consultation

6.1. No objections, some subject to conditions, received from:-

Conservation Officer
Environmental Health (Pollution)
Environmental Health (Drainage)
Leicestershire County Council (Highways)
Leicestershire County Council (Archaeology)

6.2. Councillor Roberts has objected to the application on the following grounds:-

- 1) Severe highway issues, no parking for the domestic or increase in the retail. The current parking situation is dangerous and numerous accidents with parked vehicles within this area, regardless of the double white line and blind bend
- 2) Highway issues are exasperated by the fact it is the main route into the village, with buses and Lorries passing through regularly
- 3) The existing retail unit although listed as two for high street purposes the village only see them regards parking and footfall as one, therefore an increase to two separate units in regard to footfall and parking is likely to cause a serious issue
- 4) Visiting members to the retail unit quite often park illegally within the highway making it difficult for lorries and buses to pass
- 5) There would be no off road parking at all if the current retail unit is extended into half the existing parking area serving the site
- 6) Infill type development of existing properties with an increase in footfall, parking, increase on village resources, the division and expansion is unwarranted as Barwell is currently meeting the National Framework Policy in so much as the pending SUE allocation
- 7) There would be lorry and van access to the properties close to No.83 High Street. This property has already been subject to accidents and damage to its structure and gable end
- 8) Previous resurfacing works carried out on the existing parking space, has caused damage to the neighbouring property.

6.3 Councillor Williams has also objected to the proposal on the same grounds raised by Councillor Roberts.

6.4. Barwell Parish Council has objected on the following grounds:-

- 1) Inadequate car parking
- 2) Access exits onto a blind corner
- 3) Restricts light to neighbouring dwelling
- 4) Object to the proposed use of roller shutters
- 5) Roof slates different to clay tiles
- 6) Road narrows outside number 87 High Street
- 7) Accident blind spot especially associated with school children and elderly
- 8) Loss of amenities for residence granted
- 9) More congested traffic in village
- 10) Should approve a play and open space contribution for Boston Way requested
- 11) Building work could damage old buildings in the immediate area that have little or no footings.

7. Policy

7.4. Earl Shilton & Barwell Area Action Plan 2014

- Policy 21: Infrastructure and Delivery
- Policy 22 : Development and Design

7.5. Local Plan 2006 – 2026: Core Strategy (2009)

- Policy 3: Development in Barwell

- 7.6. Site Allocations and Development Management Policies DPD (SADMP) (Adopted July 2016)
- DM1: Presumption in Favour of Sustainable Development
 - DM10: Development and Design
 - DM11: Protecting and Enhancing the Historic Environment
 - DM12: Heritage Assets
 - DM13: Preserving the Borough's Archaeology
 - DM17: Highways and Transportation
 - DM18: Vehicle Parking Standards
- 7.7. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2012)
 - Presumption in favour of sustainable development
 - Paragraph 11-14
 - Ensuring the vitality of town centres
 - Paragraph 23
 - Using proportionate evidence base
 - Paragraph 169
 - Planning Practice Guidance (PPG)
 - Paragraph: 031 planning obligations
- 7.8. Other relevant guidance
- Barwell High Street Conservation Area Appraisal and Map

8. Appraisal

8.4. Key Issues

- Assessment against strategic planning policies
- Impact upon the character and appearance of the Barwell High Street Conservation Area (BHSCA)
- Impact upon neighbouring residential amenity
- Impact upon the highway
- Impact upon heritage assets
- Drainage
- Infrastructure Obligations
- Other Matters

Assessment against strategic planning policies

- 8.5. Objections have been received in respect of the lack of demand and need for additional dwellings and retail units within Barwell.
- 8.6. Paragraphs 11 - 13 of the National Planning Policy Framework (NPPF) state 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 adopted Site Allocations and Development Management Policies DPD (SADMP), the adopted Core Strategy (2009) and the Earl Shilton and Barwell AAP.
- 8.7. The site is within the settlement boundary of Barwell. Core Strategy Policy 3 identifies Barwell as a settlement which supports Hinckley as the sub regional

centre. Policy 3 of the adopted Core Strategy supports residential development within the settlement boundary Barwell. Paragraph 23 of the NPPF states that local planning authorities should recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites. The application seeks to retain an element of retail within the existing fabric of the building thereby providing a mixed use residential and retail development.

- 8.8. Policy DM1 of the adopted SADMP and paragraph 14 of the NPPF 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. The site is located within a sustainable location close to a full range of services and facilities. The proposal would contribute to the social role of sustainable development by providing additional housing towards the overall supply for the Borough. The proposed scheme would result in a development to reuse an existing building for residential and retail purposes and through the extension works and future occupation of the apartments would contribute to the local economy. The proposed demolition of the existing detached garage would contribute to improving the local environment through the enhancement of the Barwell Conservation Area. Other elements of the scheme, such as the new shop front and the raising of the roof on the existing building would also preserve or enhance the character and appearance of the Conservation Area. The proposed development is therefore considered to be sustainable and acceptable in principle subject to all other planning matters being satisfactorily addressed.

Impact upon the Character and Appearance of the Barwell High Street Conservation Area (BHSCA)

- 8.9. The application site is situated within the BHSCA and is identified as being a Significant Local Building. Policies DM11 and DM12 of the adopted SADMP seek to ensure that the significance of a conservation area is preserved and enhanced through the consideration and inclusion of important features. Policy DM10 of the adopted SADMP requires development to complement or enhance the character of the surrounding area. Policy 22 (criterion a) of the adopted Earl Shilton & Barwell Area Action Plan DPD states that developments will be permitted provided that, amongst other matters, there would be no detriment to the character or appearance of the host building or the surrounding area. Policy 22 (criterion g) requires the use and application of appropriate building materials.
- 8.10. The overall character and appearance of the original building has been compromised to some degree by the erection of a substantial detached garage to the north of the building. The proposed development would retain the existing street frontage elevation and proposes an increase to the existing ridge height, retaining the existing chimney feature. Whilst the increase in ridge height is not the strongest element of the scheme, it will support the use of modern building practices and as the proposed ridge would continue to maintain a lower ridge height, compared to immediately neighbouring dwellings, the slight increase in its height would not result in a detrimental impact upon the appearance of the Significant Local Building or the special character of the Conservation Area. As referenced above, the chimney feature, which is an important and prominent feature of this building, would also be retained. The Conservation officer also has no objections to the proposals.
- 8.11. The scheme also includes the insertion of a traditionally designed shop front which would be larger than the existing, incorporating timber detailing and a central door

with glazed panels either side and internal security shutters. The detail of the shutters is to be agreed.

- 8.12. The existing detached garage would be demolished and a side extension would be provided to the existing north east facing side elevation the existing frontage building. The proposed extension would be set back slightly from the front elevation of the building, and the ridge height positioned below that of the original building. The extension would thereby appear subordinate to the original building. The proposed windows and doors within the front elevation of the proposed extension seek to include cill and header details to the elevation. In contrast to the existing rendered finish, the extension would be finished in brick reflective of the wider streetscene, providing a clear definition between existing and new buildings.
- 8.13. In curtilage parking for the retail and the residential use would be provided to the rear of the building, removing the need for on-street parking or parking to the side of the building. The proposed bin store would be enclosed with matching facing bricks to that of the proposed extension and finished with a mono pitched roof, ensuring appropriate high quality means of storage, which would not impact upon the wider streetscene.
- 8.14. Given the above context, it is considered that the proposed scheme would preserve and enhance the appearance of the BHSCA by virtue of the sensitive design of the proposal which seeks to incorporate vernacular details of the Barwell High Street Conservation Area. The development is considered to be in accordance with Policies DM10, DM11 and DM12 of the adopted SADMP.

Impact upon Neighbouring Residential Amenity

- 8.15. Policy DM10 (criterion a) of the adopted SADMP require that development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties. Policy 22 of the adopted Earl Shilton & Barwell Area Action Plan DPD states that developments will be permitted provided that, amongst other matters, it does not adversely affect the privacy or amenity of nearby residents and occupiers of adjacent buildings including matters of visual intrusion and noise.
- 8.16. Objections have been received on the grounds that the proposal would result in an adverse impact on the amenities of neighbouring properties from noise and disturbance generated from the use and traffic movements.
- 8.17. No 89 High Street is a two storey terraced dwelling situated to the south of the application site. The proposed scheme seeks a two storey and single storey rear extension to the original building, this would extend along the common boundary with No.89, with the proposed two storey extension projecting approximately 1.2 metres beyond the rear elevation of No.89. The single storey element would project approximately 4 metres. The single storey projection would have an overall height of approximately 2.5 metres. There is an existing 1.8 metre close boarded fence which defines the common boundary. Given this relationship and context, the existing ground floor windows positioned within the elevation of No.89 would have some limited loss of light and overshadowing to the rear of No.89, particularly in the early part of the day. This impact would not be significant given the continually changing orientation of the sun through the course of the day. It is considered that there would not be a significant loss of light or overshadowing that would sustain a reason for refusal in this case.

- 8.18. The application proposes, 4 car parking spaces, adjacent to the boundary of No.89. The parking spaces would be situated approximately one metre away from the common boundary. Given the proposal seeks a single retail unit, and a limited number of one bed flats, it is not considered that the development would result in any adverse impact in terms of noise from vehicle movements. A condition for suitable boundary treatment is recommended to ensure adequate neighbouring residential amenity is maintained.
- 8.19. To the east of the application site is No.83, a two and a half storey terraced property. There are three windows within the side facing elevation of No.83 which face towards the application site. These are secondary windows serving the property. There are no side facing windows proposed within the building which would oppose these existing windows. Given the distance between the side elevation of the proposed extension and No.83, approximately 6.5 metres, the proposed development would not result in any significant overbearing impact on the residential amenity of the adjacent occupiers. The proposed access would be positioned between No.83 and No.87. The area is currently used for parking for visiting members of the public, and this proposed development would remove parked cars within close proximity to the side elevation of No.83. The scheme would therefore not result in an adverse impact over above the existing situation.
- 8.20. Given the above context, it is considered that the proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and Policy 22 of the adopted Earl Shilton & Barwell Area Action Plan DPD.

Impact upon Highway Safety

- 8.21. Policies DM17 and DM18 of the adopted SADMP require adequate access and off-street vehicle parking facilities to be provided to serve developments.
- 8.22. Objections have been received in respect of the proposed access and parking facilities. Objections have also been received in respect of the lack of off-street parking and the narrowness of this section of High Street, Barwell.
- 8.23. The scheme seeks to provide off street parking spaces to serve 7 cars, which would serve the 5 one bed flats and the retail unit. A cycle store is also proposed. The scheme would allow cars to enter and leave the site in a forward gear, removing the risk currently observed reversing of cars, back into the highway.
- 8.24. Leicestershire County Council (Highways) have assessed the scheme and do not object to the proposal by virtue of the applicant adequately demonstrating that the scheme would provide sufficient off-street parking and proposes a safe means of access. The scheme would not result in significant additional impacts on highway safety. Therefore, subject to the imposition of conditions relating to visibility, the provision of car parking prior to the first use of the development and the provision and maintenance of cycle parking the proposed development is considered to be acceptable in terms of highway safety, and would accord with Policies DM17 and DM18 of the adopted SADMP.

Impact upon Heritage Assets

- 8.25. Policy DM11 and DM12 of the adopted SADMP seeks to ensure that development proposals shall protect, conserve and enhance the historic environment.

- 8.26. The application site is situated within an area of archaeological interest as identified within The Leicestershire and Rutland Historic Environment Record. The site is situated within the historic settlement core of medieval and post medieval Barwell (HER Ref: DLE6670) where there is potential for the presence of archaeological remains within the application area, which would be affected by the development. Archaeological evaluation and exaction undertaken in 2006 at St Marys Court, located to the south east of the application site, revealed post holes relating to the remains of a late prehistoric round house, an assemblage of Roman artefacts suggesting nearby settlement and a series of medieval boundary ditches in addition to the remains of a possible medieval fish pond. There is therefore potential for the presence of archaeological remains within the application area, likely to be affected by the proposal.
- 8.27. Leicestershire County Council (Archaeology) does not object to the proposal. It seeks further information with regard to the archaeological evaluation of the site. This information can be secured by condition and is considered to be a reasonable approach to ensure that any archaeological remains present are treated appropriately. Subject to the inclusion of this condition the development would not have a detrimental impact upon the understanding of the significance of any heritage asset, and would therefore be in accordance with Policies DM11 and DM12 of the SADMP.

Drainage

- 8.28. Policy DM7 of the SADMP states that development proposals should provide satisfactory surface water and foul water drainage. In addition the NPPF sets out at Paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 8.29. Objections have been received in respect of increase flooding being caused as a result of this development.
- 8.30. Environmental Health (Drainage) has raised no objection to the application which proposes the use of a soakaway as a means of managing surface water drainage. This is considered appropriate. It is suggested that the applicant utilises permeable paving where possible to disperse surface water efficiently. This would also form part of any landscaping plan submission. It is not considered that the proposal would lead to any significant harm in terms of flooding and therefore would be in accordance with Policy DM7 of the adopted SADMP and the relevant provisions of the NPPF.

Infrastructure Contributions

- 8.31. Policy 19 of the Core Strategy, Policy DM3 of the adopted SADMP require new residential development to contribute towards the provision and maintenance of public play and open space facilities for children. However, Paragraph: 031 Reference ID: 23b-031-20160519 of the Planning Practice Guidance (PPG), which is a material consideration, states that tariff style planning obligations should not be sought for developments of 10 units or less and which have a maximum combined gross floor space of no more than 1000sqm. In light of the guidance in the PPG, a contribution towards play and open space provision is not being sought.

Other Matters

- 8.32. Objections have been received in respect of previous alterations which have taken place at the existing property causing damage to the neighbouring dwelling, and the risk of damage being likely through implementation of the proposed development. Any damage which has been caused and what may be caused, is not a material planning consideration and is deemed to be a civil matter between the affected interested parties.
- 8.33. A suggested condition for the installation of a crash barrier to be installed along the access of the application site is not considered to be a reasonable or necessary measure, as the access has been designed for vehicles to enter the site in a controlled manner.
- 8.34. Comments have been raised in relation to illegal parking within High Street Barwell. This is a matter for the police and would not be controlled by the consideration of this planning application.

9. Equality Implications

- 9.1 Section 149 of the Equalities 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 in the consideration of this application. The Committee must also ensure the same when determining this planning application. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1 The concerns raised in response to local consultation have been carefully considered as part of the assessment of this application. However, the application site is in a sustainable location near the centre of Barwell, close to services and facilities where residential and retail development is acceptable in principle and would contribute to the overall supply and mix of housing within the Borough. The alterations and extensions to the existing building would be sympathetic to the existing site and buildings, and would preserve and enhance the character and appearance of the Barwell High Street Conservation Area and identified heritage assets. The scheme would not result in any significant adverse impact on the amenities of any neighbouring residential occupiers, and would provide adequate off street parking and means of access. The proposal would not therefore result in any demonstrable adverse impacts on highway safety.

It is considered that the proposal would be in accordance with adopted policies DM1, DM3, DM10, DM11, DM12, DM13, DM17 and DM18 of the SADMP and Policy 22 of the adopted Earl Shilton and Barwell Area Action Plan. The assessment of the application has also had regard to the duty of the local planning

authority to give special attention to the desirability of preserving or enhancing the character and appearance of that area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is recommended for approval subject to conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report.
- That the Chief Planning and Development Officer be given delegated powers to determine the final detail of planning conditions.

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 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 Dwg No 2015-09/18/09 Rev C, Site Plan Dwg No 2015-09/18/10 Rev E, Proposed floor plan Dwg No 2015-09/18/04 Rev E, Proposed Elevations Dwg No 2015-09/18/05 Rev D, Proposed Elevations Dwg No 2015-09/18/06 Rev E received by the Local Planning Authority on 13 June 2016.

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1, DM10 and DM11 of the adopted Site Allocations and Development Management Policies DPD.

3. Notwithstanding the submitted details, before development commences full details including samples of all external materials, including facing bricks, cill detail, roof tiles, details of proposed new windows and shop front detail and design shall be submitted to and approved in writing by the local planning and the scheme shall be implement in accordance with the approved details.

Reason: To ensure a satisfactory external appearance in the interests of visual amenity to protect and enhance the character and appearance of the building and surrounding Barwell High Street Conservation Area in accordance with Policies DM10 and DM11 of the adopted Site Allocations and Development Management Policies DPD.

4. Notwithstanding the submitted details, before development commences full details of the bin store, including samples of all external materials and details of means of enclosure, shall be submitted to and approved in writing by the local planning authority and the scheme shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory external appearance in the interests of visual amenity to protect and enhance the character and appearance of the building and surrounding Barwell High Street Conservation Area in

accordance with Policies DM10 and DM11 of the adopted Site Allocations and Development Management Policies DPD.

5. The proposed cycle storage and bin storage areas shall be provided prior to the first occupation of any of the apartments hereby permitted and shall be permanently available and maintained for such uses at all times thereafter.

Reason: To encourage alternative transport choice and to provide satisfactory cycle storage and bin storage facilities to serve the apartments hereby permitted in the interests of the sustainability of the development to accord with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD.

6. Notwithstanding the submitted plans no development shall commence until a scheme of hard and soft landscaping works, including boundary treatments, surfacing and proposed planting plans and management, for the site has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved landscaping scheme.

Reason: In the interests of visual and neighbour amenity, to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD.

7. Within one week of the development being brought into use, any redundant existing vehicular crossings and the footway shall be reinstated to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of general highway safety, particularly pedestrian safety to accord with Policy DM18 of the Site Allocation and Development Management Policies DPD.

8. The Off-street car parking and turning facilities as shown on submitted plan Dwg No. 2015-09/18/04 Rev E shall be provided within the application site in accordance with those details shown on the submitted plan; the parking and turning areas shall be surfaced and marked out prior to the development being brought into use, and shall thereafter be so maintained at all times.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area and to enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users to accord with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD.

9. No planting or fences shall be erected or allowed to grow on the highway boundary exceeding 0.6 metres in height above the level of the adjacent carriageway.

Reason: To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD.

10. Before first use of the development hereby permitted, the vehicular access to the site shall be provided with an effective minimum width of 6 metres over a distance of at least 10 metres behind the highway boundary. The access drive shall be provided before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained. NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

Reason: 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 to accord with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD.

11. Before first use of the development hereby permitted, the vehicular access to the site shall be provided with 4 metre control radii on both sides of the access.

Reason: To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety and to afford easy access to the site and protect the free and safe passage of traffic in the public highway to accord with Policy DM17 of the Site Allocations and Development Management Policies DPD.

12. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 10 metres behind the highway boundary and shall be hung so as not to open outwards.

Reason: To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway to accord with Policy DM17 of the Site Allocations and Development Management Policies DPD.

13. No development shall commence until a programme of archaeological work (strip, plan and record excavation and Archaeological attendance) including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; an:

- The programme and methodology of site investigation and recording
- The programme for post investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and record of the site investigation
- Provision to be made for archive deposition of the analysis and record of the site investigation
- Nomination of a competent persons/organisation to undertake the works set out within the written scheme of investigation.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policy DM13 of the Site Allocations and Development Management Policies DPD.

- 14 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (13).

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policy DM13 of the Site Allocations and Development Management Policies DPD.

15. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (13) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policy DM13 of the Site Allocations and Development Management Policies DPD.

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. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance, or alternatively assembled from modular surface water storage/soakaway cell systems, incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.
3. Any 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).