

**Planning Committee 10 April 2018
Report of the Planning Manager, Development Management**

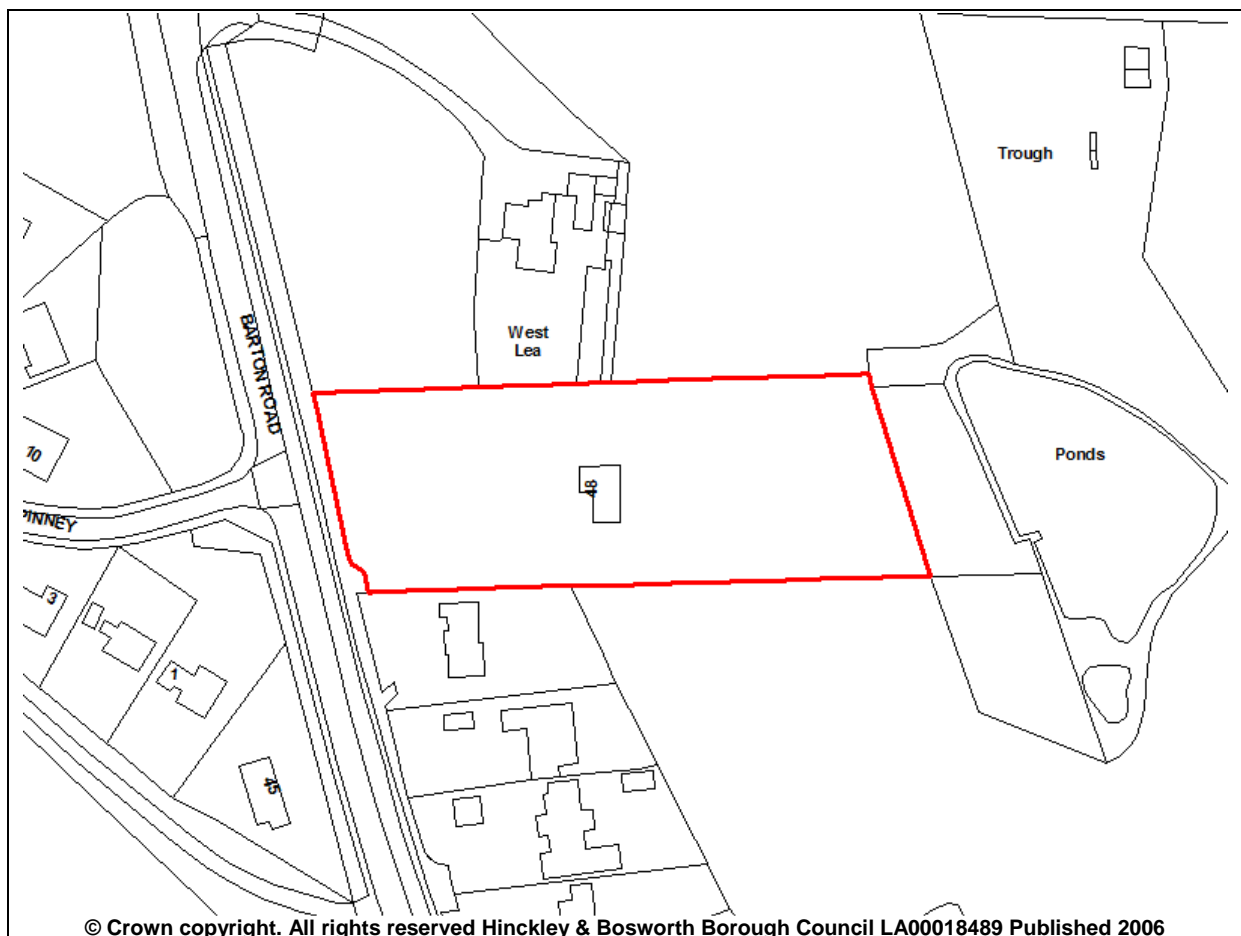


Hinckley & Bosworth
Borough Council

Planning Ref: 18/00178/CONDIT
Applicant: Mr Steve Wong
Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: Kingscliffe 48 Barton Road Market Bosworth

Proposal: Variation of condition 2 of planning permission 17/00612/CONDIT for an additional attached garage to the front, re-site the house and an amended site layout



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

1.2. That the Planning Manager, Development Management be given powers to determine the final detail of planning conditions.

2. Planning Application Description

2.1. This application seeks planning permission for the variation of condition 2 of planning permission 17/00612/CONDIT for an additional attached garage, move the siting of the house by approximately 0.5 metres to the south to allow access to the rear garden and an amended internal site driveway.

- 2.2. Planning permission was granted on 14 August 2017 for “Variation of condition 2 of planning permission 16/01164/FUL to create additional living space in the loft and two roof lights on rear elevation”.
- 2.3. Condition 2 of planning permission 17/00612/CONDIT stated the following:
 “The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Proposed Floor Plans drg. no. 250 D (scale 1:50), Second Floor Plan drg. no. 251 and Proposed Elevations drg. no. 450 F (scale 1:50 and 1:100) received by the Local Planning Authority on 15 June 2017 and Proposed Site Plan drg. no. 150 B (scale 1:500) and Proposed Site Plan drg. no. 151 B (scale 1:200) received by the Local Planning Authority on 12 April 2017.”
- 2.4. It is proposed to vary condition 2 by providing for an additional attached garage, reposition the house approximately 0.5 metres to the south and amend the internal driveway in accordance with the revised plans submitted as part of this application.

3. Description of the Site and Surrounding Area

- 3.1. The site is within the curtilage of 48 Barton Road and relates to the previously approved dwelling located to the north of the existing dwelling. The plot is substantial in size and the existing dwelling is set back into the site which is characteristic of other dwellings within the streetscene. Planning permission has been granted for the erection of one dwelling to the front of the site (ref. 16/00281/FUL).
- 3.2. The proposed site currently comprises part of No.48 and a detached garage. The garage is proposed to be relocated to the front of the existing dwelling and has already been demolished to allow suitable archaeological works to take place.
- 3.3. The existing dwelling is extensive in size and situated in the south east of the plot. The existing dwelling has a hipped roof with two large gable elevations on the front of the property with one bay window and a large porch. The existing windows and doors have specific header and cil detailing with large openings.
- 3.4. The site is well planted with mature trees on the west and north border of the site, with a number of trees protected by a tree preservation order. A number of trees have been removed in accordance with the guidance received from HBBC’s Arboricultural Officer. The removal allows the important and feature trees to grow through evenly and healthily ensuring the mature screening is not compromised.
- 3.5. The site levels differ from east-west, with the land rising significantly from Barton Road to the east. The site is accessed from Barton Road, which has good visibility with gates set back from the road.
- 3.6. There is one further residential property to the north of the application site which is the last property on Barton Road. The properties located to the south of the site along Barton Road are all set further forward than the existing dwelling.

4. Relevant Planning History

14/00966/FUL	Erection of a dwelling with associated parking	Refused – Appeal Dismissed	17.03.2015
15/00607/FUL	Erection of dwelling with associated parking	Withdrawn	01.04.2016

16/00281/FUL	Erection of a dwelling with associated parking (resubmission)	Planning Permission	02.06.2016
16/01163/HOU	Partial demolition of existing dwelling and garage and erection of new garage	Planning Permission	28.04.2017
16/01164/FUL	Construction of new dwelling	Planning Permission	28.04.2017
17/00611/CONDIT	Variation of condition 2 of planning permission 16/00281/FUL to add additional floor space to the basement	Planning Permission	14.08.2017
17/00612/CONDIT	Variation of condition 2 of planning permission 16/01164/FUL to create additional living space in the loft and two roof lights on rear elevation	Planning Permission	14.08.2017
17/00707/TPO	Fell 2x Silver Birch Trees (T1 and T2) and fell 1x Rowan Tree (T3)	Permit Tree Preservation Order Works	13.09.2017
17/01261/TPO	Fell 3 Pine Trees, 1 Conifer Tree and 1 Chestnut Tree	Permit Tree Preservation Order Works	26.02.2018

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.
- 5.2. No comments received.

6. Consultation

- 6.1. Objections received from Market Bosworth Parish Council raising the following concerns:
- 1) Contrary to MBNP (Policies CE1, CE3, views 4, 5 and the green finger)
 - 2) Overdevelopment of the site
 - 3) Out of character with the area
 - 4) Impact upon the landscape and local ambience of the area
 - 5) Highly visible and prominent within the streetscene
 - 6) Consideration of the previous applications together
- 6.2. No further comments/objections, in addition to the original comments from the original application, from the following:

LCC Ecology
LCC Highways
Historic England
HBBC Waste
HBBC Environmental Health
Cadent

7. Policy

7.1. Market Bosworth Neighbourhood Plan 2014-2026

- Policy CE1: Character and Environment
- Policy CE3: Important Views and Vistas
- Policy CE4: Trees

7.2. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone
- Policy 19: Green Space and Play Provision

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- 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

- The Setting of Heritage Assets (Historic England)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Impact upon heritage assets
- Impact upon trees
- Conditions

Assessment against strategic planning policies

8.2. The principle of development for the new dwelling has already been established through the previous planning permissions, references 16/01164/FUL and 17/00612/CONDIT.

8.3. The key issues concerning this application are the impacts upon the character of the area, residential amenity, highway safety, heritage assets and trees. This report

should be read in conjunction with the previous applications (16/01164/FUL and 17/00612/CONDIT).

- 8.4. These proposed amendments have to be considered in the context of the previously approved scheme.

Design and impact upon the character of the area

- 8.5. Policy DM10 of the Site Allocations and Development Management Policies DPD seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. This is supported by paragraph 17 of the NPPF which seeks to ensure a high quality of design. Paragraph 56 of the NPPF 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.
- 8.6. The site is identified as being within character area D 'Suburban residential' within the Market Bosworth Neighbourhood Plan (MBNP). This area is characterised by:
- Detached and semi-detached, two storey dwellings
 - Long open aspect front gardens providing a sense of openness
 - Wide, open aspect grassed verges at road entrances
 - Public open spaces dividing housing
 - Well proportioned uniform plots with properties set back from the pavement;
 - Garages and driveways
- 8.7. Policy CE1 of the MBNP seeks to ensure that all new development within Market Bosworth is in keeping with its character area in regard to scale, layout and materials to retain local distinctiveness and create a sense of place. Innovative or outstanding design will be supported if it raises the overall quality of the Character Area. Furthermore, Policy CE1b states that any new development within Character Area D (Suburban Residential) should pay particular regard to existing rooflines.
- 8.8. All routes into Market Bosworth converge on the Market Place which is the centre of a designated conservation area. The countryside around the settlement and its relationship to the entrance roads is a major factor in the appreciation of the character of the village and its conservation area. The village is approached from Barton Road through woodland pasture and traditional parkland until it reaches the village edge where it continues between twin rows of development until it gently curves around Home Farm Mews and the Dower House, where the boundary of the conservation area commences, until reaching the Market Place. In addition to the larger public parks, parkland and smaller privately owned spaces, many front and rear gardens and wide grass verges, some with mature trees and hedges, add to the character and special ambience of the village.
- 8.9. A strong feature of the area is that all properties along Barton Road are set back into the site with large front gardens. Currently this site follows this existing character, as the property is set back well into the site with a mature tree screen and associated landscaping.
- 8.10. Policy CE3 of the MBNP seeks to protect and enhance existing open spaces and important landscape characteristics. View 4 along Barton Road to the south is identified within the MBNP as a key view into Market Bosworth. View 5 forks off view 4 towards the north east of the site, projecting towards to the property to the north of the application site. There are no green fingers as designated in the MBNP that highlight or point towards to the application site.
- 8.11. The proposed additional attached garage would project approximately 3.3 metres to the front of the previously approved garage with the matching depth of

approximately 6 metres. The proposed garage would match the existing approved garaging in respect of detailing, roof pitch and style, however would be set down approximately 1.5 metres from the ridge, ensuring the subservient nature of the attached garage is retained in relation to the previously approved dwelling.

- 8.12. The proposed re-siting of the house further to the south would reduce the separation distances between the existing dwelling and the approved dwelling from approximately 3.5 metres to approximately 3 metres. This amendment is to ensure the access to the rear garden is retained as a result of the introduction of a 1.5 metre high retaining wall to the northern boundary to take into account archaeological findings. However it is considered that the reduced separation distance to approximately 3 metres would still ensure that the proposal would remain set down and read separately in relation to the existing dwelling thus not impacting upon the character of the streetscene.
- 8.13. The amendment to the site layout of the internal driveway is considered minor to the overall scheme, would not impact upon the character of the area and would allow more planting and screening to the front of the existing dwelling, reducing the overall impact of the proposed scheme.
- 8.14. The plans submitted as part of this variation of condition application also relate to the inclusion of a new boundary wall and gates for the new dwelling. Detailing has been submitted of the proposed brick pier entrance gates to the new dwelling. It is considered that this detailing would match the existing entrance gates. Nevertheless, full details of hard and soft landscaping works, including boundary treatments are to be secured by condition and required to be submitted prior to commencement of development.
- 8.15. As a result there would be no significant impact from the proposed amendments on the character of the site or surrounding area.
- 8.16. Policy CE1 (b) states that any new development within Character Area D should pay particular regard to existing rooflines. As the roofline of the approved dwelling is not being increased by this amendment, and the proposed attached garage is significantly set down from the previously approved ridge, the proposal would be in accordance with Policy CE1 (b) of the MBNP.
- 8.17. Concerns have also arisen due to the site being identified as an important view into Market Bosworth as defined in the adopted MBNP. The proposal is set back into the site, away from Barton Road and therefore the view of the proposal from the outside of the site would be negligible. In addition to this, the minor amendment sought by this application would not result in a significant change of roof height as previously approved and would therefore not adversely impact upon this identified important view.
- 8.18. Concerns have also arisen regarding the proposed development being located within Character Area F as designated in the MBNP and Policy CE1 (a) states that where new development would be visible from an adjacent character area it should be sensitive to the principal characteristics of that area. The application site is located within Character Area D and Character Area F. However the proposed dwelling would be located within Character Area D with Character Area F located further to the rear of the site. Although the proposed dwelling would be visible from Character Area F, the minor amendments sought would not significantly alter the appearance of the approved dwelling.
- 8.19. The minor amendment sought as part of this application would not change the overall appearance of the approved scheme and would therefore not have a detrimental impact on the character of the area or existing dwelling in accordance

with Policies DM10 of the SADMP and Policies CE1 and CE3 of the Market Bosworth Neighbourhood Plan 2014-2026.

Impact upon neighbouring residential amenity

- 8.20. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.21. Due to the single storey nature, minor scale and size, roof pitching away from the boundary to the north and the separation distance of approximately 26 metres, the proposed garage would not result in adverse impacts upon the residential amenity of the property to the North, Beech Lea.
- 8.22. Due to the minor scale and siting, and retained separation distances to the existing dwelling and the previously approved dwelling to the front of the site, it is not considered that the proposed amendments would result in any adverse impacts upon the residential amenity of either properties.
- 8.23. The proposal is therefore in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.24. Policy DM17 and DM18 of the SADMP states that proposals should ensure that there is adequate provision for on and off street parking for residents and visitors and there is no impact upon highway safety.
- 8.25. The proposed amendments would not result in any additional bedrooms and would provide one additional garage. The proposed revised site layout, internal driveway and parking areas would still ensure that the appropriate level of off street parking provision and turning areas is provided within the site for both the existing dwelling and the proposed dwelling.
- 8.26. The proposed amendments would not have an adverse impact upon highway safety and would therefore be in accordance with Policy DM17 and DM18 of the SADMP.

Impact upon heritage assets

- 8.27. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced. Policy DM13 seeks to preserve the borough's archaeology. Where a proposal has the potential to impact a site of archaeological interest, developers should set out in their application an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset.
- 8.28. Section 12 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (paragraph 132). The Setting of Heritage Assets guidance published by Historic England is also given due consideration during the determination of this application as the document sets out guidance on managing change within the setting of heritage assets.
- 8.29. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.30. To the immediate east, north and south of the existing dwelling, lies a Scheduled Monument, consisting of the below-ground archaeological remains of a probable Roman villa, where Iron Age artefacts have been identified.

- 8.31. The amendments sought would not result in any extension of the property to the rear of the site, towards the Scheduled Monument.
- 8.32. The proposal would preserve the significance of the conservation area and the scheduled monument, subject to the continued provision of conditions and therefore it complies with Policies DM11, DM12 and DM13 of the SADMP and section 12 of the NPPF and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon trees

- 8.33. Policy CE4 of the Market Bosworth Neighbourhood Plan 2014-2026 seeks to conserve and enhance important trees and wooded areas. The trees located to the front (west) and side of the site (north) are protected by a Tree Preservation Order. A tree survey plan was submitted alongside this application, which indicates detailed and accurate root protection areas of the protected trees.
- 8.34. The proposed amendments to the driveway and the proposed additional garage would be sited where a number of trees were located. As stated previously, these trees have already been removed in accordance with the comments provided by the Arboricultural Officer. The removal of these trees were not covered by the tree preservation order and the loss of the trees is not considered to result in a detrimental impact to the character of the area. Notwithstanding the above, the proposed amendments to the driveway and site layout allows for additional planting and landscaping in accordance with a suitably worded condition.

Conditions

- 8.35. Planning permission 17/00612/CONDIT was subject to 11 conditions.
- 8.36. Condition 1 (relating to time restriction) is still required as the scheme has not commenced.
- 8.37. Condition 2 relating to the approved plans should be amended to refer to the plans submitted with this application.
- 8.38. Condition 3 relating to the submission of materials has not been discharged and should be carried forward to this permission.
- 8.39. Condition 4 relating to the submission of hard and soft landscaping details has not been discharged and should be carried forward to this permission.
- 8.40. Condition 5 relating to the planting and maintenance of landscaping details is still required and should be carried forward to this permission.
- 8.41. Condition 6 relating to the submission of levels has not been discharged and should be carried forward to this permission.
- 8.42. Condition 7 ensures the appropriate parking facilities are provided before first use of the development. This is to be amended in line with the revised site plan and associated site parking plan.
- 8.43. Condition 8 relating to the submission of archaeological work has not been discharged and should be carried forward to this permission.
- 8.44. Condition 9 relating to the carrying of the development in accordance with approved work under condition 8 is still required and should be carried forward to this permission.
- 8.45. Condition 10 relating to the provision of tree protection works is still required and should be carried forward to this permission.

- 8.46. Condition 11 relating to obscure glazed windows is still required and should be carried forward to this permission.
- 8.47. An application to discharge condition 3 (samples), 4 (landscaping plans), 6 (levels) and 8 (archaeological work) has been submitted, however not enough information or details have been submitted to discharge the conditions. A written scheme of investigation has been submitted as part of condition 8 but this will need to be altered to take into account the proposed amendments. As such, it is considered necessary to carry forward these conditions to this permission to ensure the appropriate details are submitted and discharged in due course.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. The amendments to the approved planning permission reference 17/00612/CONDIT complement the character and appearance of the area, are acceptable in design terms and do not result in any significant adverse impacts on the amenities of any neighbouring properties, highway safety or heritage assets and is therefore considered to be in accordance with Policies CE1, CE3 and CE4 of the Market Bosworth Neighbourhood Development Plan, Policies DM1, DM6, DM10, DM11, DM12, DM13, DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document and Policies 7 and 11 of the Core Strategy.

11. Recommendation

- 11.1. **Grant planning permission** subject to:
- Planning conditions outlined at the end of this report.
- 11.2. That the Planning Manager, Development Management be given powers to determine the final detail of planning conditions.
- 11.3. **Conditions and Reasons**
1. The development hereby permitted shall be begun before the expiration of three years from the date of 28 April 2017.

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:

Proposed Ground Floor Plans drg. no. 250 Rev. F (scale 1:50)
Proposed Floor Plans drg. no. 251 Rev. C (scale 1:50)
Proposed Elevations drg. no. 450 Rev. H (scale 1:50 and 1:100)
received by the Local Planning Authority on 15 February 2018 and

Proposed Site Plan drg. no. 151 Rev. E (scale 1:200)
received by the Local Planning Authority on 15 February 2018.

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document and Policy CE1 of the Market Bosworth Neighbourhood Plan 2014-2026.

3. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposal shall be 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 external appearance to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document and Policy CE1 of the Market Bosworth Neighbourhood Plan 2014-2026.

4. Notwithstanding the submitted information, no development shall take place until a scheme of hard and soft landscaping works, including boundary treatments for the site, has been submitted to and approved in writing by the local planning authority. The scheme shall include, but is not exhaustive to, specific boundary treatments for the northern boundary of the site. The scheme shall be carried out in full accordance with the approved landscaping scheme.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document and Policy CE1 of the Market Bosworth Neighbourhood Plan 2014-2026.

5. All hard landscaping, planting, seeding or turfing approved under condition 4 shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document and Policy CE1 of the Market Bosworth Neighbourhood Plan 2014-2026.

6. 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 to accord with Policy DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document and Policy CE1 of the Market Bosworth Neighbourhood Plan 2014-2026.

7. Before first use of the development hereby permitted, parking and turning facilities as shown on approved plan Proposed Site Plan drg. no. 151 Rev. E (scale 1:200) received by the Local Planning Authority on 15 February 2018 shall be provided and surfaced with a hard bound porous material (not loose aggregate) and be made available for use within the site to allow vehicles to enter, park and leave in a forward direction. The turning area so provided shall not be obstructed and shall thereafter be permanently so maintained at all times.

Reason: To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users and in accordance with Policy DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

8. No development shall take place/commence until a complete set of development details (including existing and proposed ground levels and layout and depths of all foundations, service trenches, drains, landscaping and other ground works) and a programme of archaeological work (Strip, Plan and Record excavation) 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; and:-
 - a) The programme and methodology of site investigation and recording
 - b) The programme for post investigation assessment
 - c) Provision to be made for analysis of the site investigation and recording
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation
 - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: To ensure satisfactory archaeological investigation and recording of the site, which is potentially of archaeological and historic significance in accordance with Policy DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies Development Plan Document.

9. 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 8 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 of the site, which is potentially of archaeological and historic significance in accordance with Policy DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies Development Plan Document.

10. No development shall take place until trees identified within the Tree Survey drg. no. 1 B (scale 1:200), received by the Local Planning Authority on 23 December 2016 have been protected by the erection of temporary protective fences in accordance with the details included within the schedule of trees. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5 cm or more shall be left unsevered.

Reason: The trees are important features in the area and they must be properly protected while building works take place on the site in accordance with Policy CE4 of the Market Bosworth Neighbourhood Plan.

11. Notwithstanding the submitted information, the bathroom windows to the first floor side (north) elevation shall be fitted with obscure glazing to level 3 of the Pilkington Scale or above and shall non opening unless constructed above a minimum of 1.7 metres above the floor of the room within which the window is installed and shall thereafter be permanently retained in this approved form.

Reason: To ensure the development does not have a detrimental impact upon neighbouring residential amenity to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

11.4. 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. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in B R E Digest No. 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 sited surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet.

4. All recycling and refuse services take place from the boundary with the public highways and it is the responsibility of the occupiers to ensure that all containers/wheeled bins will be brought to the collection point.
5. The applicant is drawn to the recommendation in the submitted ecology report (Stefan Bodnar, February 2017).
6. Any works or extension to the rear of the property which is outside the limit of built works, as indicated on the approved site plan, will require an Application for Scheduled Monument Consent (SMC) to be submitted to the Secretary of State for Digital, Culture, Media and Sport before any work can be carried out. Further information and advice can be obtained directly from Historic England (Andy Hammon – 01604 735460).