

**Planning Committee 3 July 2018
Report of the Interim Head of Planning**

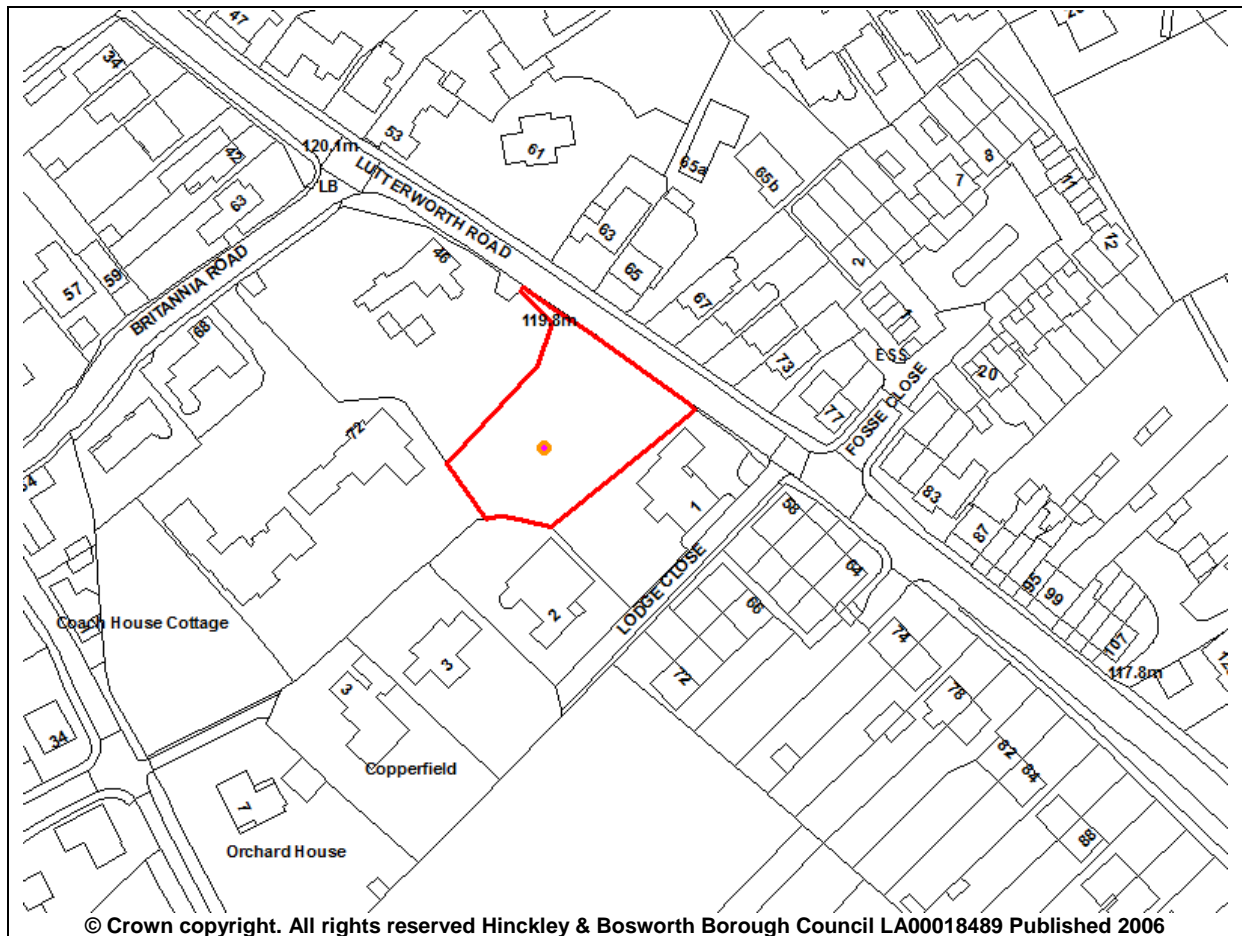


Hinckley & Bosworth
Borough Council

Planning Ref: 18/00198/FUL
Applicant: Mr James Flavell
Ward: Burbage Sketchley & Stretton

Site: 46 Lutterworth Road Burbage

Proposal: Erection of one detached dwelling and formation of associated new access



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

1.2. That the Interim Head of Planning 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 erection of a detached, two storey five bedroom dwelling and the formation of associated access to Lutterworth Road. The proposed dwelling would be set back from the highway boundary by approximately 22 metres. The footprint would measure 24.1 metres in width x 13.8 metres in depth with a main ridge height of 9.8 metres and varying eaves heights.

- 2.2. The proposed dwelling has a traditional design with feature timber/render gable to the front elevation, bay window, chimneys and other architectural features. A double garage is included in the design with additional hard-surfaced parking and turning provided at the front of the dwelling and gardens to front and rear. A new 1.8 metre high brick wall and close boarded timber fence is proposed to separate the site from the host dwelling. Existing 1.8 metre high close boarded timber fencing is to be retained to the other side and rear boundaries.
- 2.3. The proposal includes the removal of a number of trees within the site and the existing 1.5 metre high hedgerow across the site frontage to improve visibility from the proposed new access. The trees on site that are protected by Tree Preservation Orders are proposed to be retained.
- 2.4. A Design and Access Statement, Arboricultural Assessment and Arboricultural Method Statement have been submitted to support the application.
- 2.5. Amended plans have been submitted to address a number of issues raised with regard to potential adverse impacts on the privacy and amenity of the occupiers of neighbouring properties and protected trees. Re-consultation has been undertaken.

3. Description of the Site and Surrounding Area

- 3.1. The application site measures approximately 0.3 hectares and is located within the settlement boundary of Burbage on the south west side of Lutterworth Road. It is currently part of the garden to 46 Lutterworth Road and comprises a large lawn surrounded on three sides by mature tree belts, understorey shrubs and hedgerow. In addition there is a 1.8 metre high close boarded timber fence to the south east and south west boundaries. The site is currently open to the host dwelling that lies to the north west.
- 3.2. The site is surrounded by residential development characterised by a variety of designs, scales and styles. Neighbouring dwellings are predominantly two storey but there are bungalows to the south and south east of the site.

4. Relevant Planning History

None relevant.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. Responses have been received from 5 separate addresses objecting to the application on the following grounds:-
 - a) Inappropriate design
 - b) Overbearing impact on neighbouring properties
 - c) Loss of privacy from overlooking
 - d) Noise pollution and dust from parking
 - e) Highway safety – poor visibility as a result of unrestricted on-street parked cars
 - f) Highway safety – traffic congestion
 - g) Adverse impact on tree root zones and tree removal.
- 5.3. One response has been received in support of the application.

6. Consultation

- 6.1. No objections have been received from:-

Environmental Health (Pollution)
Environmental Health (Drainage)
Street Scene Services (Waste)
Burbage Parish Council

- 6.2. No objection subject to conditions has been received from the Tree Officer.
- 6.3. Leicestershire County Council (Highways) refers to standing advice.

7. Policy

- 7.1. Core Strategy (2009)
- Policy 4: Development in Burbage
 - Policy 19: Green Space and Play Provision
- 7.2. Site Allocations and Development Management Policies (SADMP) 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 DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2012)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Burbage Neighbourhood Plan (BNP) 2015 – 20126 (Pre-submission Draft)
 - Burbage Village Design Statement (BVDS)

8. Appraisal

- 8.1. Key Issues
- Assessment against strategic planning policies
 - Design and impact upon the character of the area
 - Impact on trees
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Infrastructure contributions

Assessment against strategic planning policies

- 8.2. The relevant development plan documents in this instance consist of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies Development Plan Document (2016) (SADMP).
- 8.3. The emerging Burbage Neighbourhood Plan (BNP) is still in development, not yet having been submitted to the local planning authority for comment prior to Examination by an Inspector and subsequent referendum. Therefore, only very limited weight can be afforded to this emerging document at this time.
- 8.4. Policy 4 of the adopted Core Strategy supports development within the settlement boundary of Burbage. The site is in a sustainable urban location within the settlement boundary of Burbage and with reasonable access to a range of services and facilities and sustainable transport modes. By virtue of its location together with the small scale of development, the proposal would not result in any conflict with Policy 4 of the adopted Core Strategy or the emerging BNP in strategic terms and would therefore be acceptable in principle subject to all other planning matters being satisfactorily addressed.

Design and impact upon the character of the area

- 8.5. Policy DM10 of the adopted SADMP seeks 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 and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally.
- 8.6. Policies 2 and 4 of the emerging BNP support residential proposals that do not cause adverse impacts on the character of the area, are within the continuity of existing frontage buildings, are comparable in layout, size, scale and design to neighbouring properties and retain important natural boundaries.
- 8.7. The size of the application plot and that remaining for the host dwelling would complement those of neighbouring development and it would have road frontage to Lutterworth Road. The layout of the site and footprint of the proposed dwelling has been developed to respect the existing mature trees within the site that are subject to a Tree Preservation Order and are required to be retained.
- 8.8. Objections have been received on the grounds that the proposed dwelling has an inappropriate design for this part of the village.
- 8.9. The proposed dwelling would complement the footprint size and scale of the host dwelling and neighbouring properties to the west. The proposed dwelling has a traditional design with feature timber beam/part rendered gable to the front elevation with a first floor overhang and exposed beams, bay window with parapet roof with brick detailing, feature chimney, brick plinth and arched brick headers to the integral porch and recessed front door.
- 8.10. The inclusion of these traditional architectural features results in a high quality design that would complement the character of the 'mature' areas of the village as identified in the Burbage Village Design Statement of which the host dwelling forms part. No specific external materials have been submitted but this detail can be controlled by a condition requiring submission for prior approval to ensure a high quality overall appearance.
- 8.11. Notwithstanding the objections received, by virtue of the layout, scale and design, and subject to the use of appropriate external materials and retention of significant trees within the site, which can be secured through conditions, the proposed scheme would complement and enhance the character of the surrounding area. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and Policies 2 and 4 of the emerging BNP.

Impact on trees

- 8.12. Policy DM6 of the adopted SADMP seeks to conserve and enhance features of nature conservation value and retain, buffer or manage favourably such features. Policy DM10 of the adopted SADMP requires development to incorporate a high standard of landscaping where this would add to the quality of the design.
- 8.13. There are a large number of trees around the boundaries and within the site that provide a significant contribution to the visual amenity of the surrounding area and many of these are protected by a Tree Preservation Order (TPO). An Arboricultural Assessment and Arboricultural Method Statement have been submitted to support the application.
- 8.14. The Arboricultural Assessment identified 5 individual trees and one tree group of high quality/value (Category A) specimens, 21 trees and a hedgerow of moderate quality/value (Category B) and 29 individual trees, two tree groups and a hedgerow of low quality/value (Category C).

- 8.15. Objections to the proposal have been received on the grounds of loss of trees and adverse impacts on tree root zones.
- 8.16. A number of moderate and low quality/value trees are proposed to be removed from the Lutterworth Road boundary to enable the formation of the new access and the south east boundary (to 1 Lodge Close) to enable the positioning of the proposed dwelling. The existing hedgerow along the site frontage with Lutterworth Road is also to be removed to provide visibility splays either side of the proposed new access drive. Some works are proposed to some of the trees to ensure compatible development and their long term future health and viability.
- 8.17. The proposed layout has been designed to respect the root protection areas of the most important and significant trees within the site and enable them to be retained. Where root zones are affected, such as the proposed access drive, no-dig construction can be used to minimise any adverse impacts. In some cases, the removal of other trees would benefit the future growth and viability of more important adjacent trees. The Arboricultural Assessment recommends that replacement tree and hedgerow planting should be undertaken to mitigate proposed losses, particularly new hedgerows to the Lutterworth Road frontage and replacement trees to the south west and north west boundaries (to 70 Britannia Road and the host dwelling).
- 8.18. In order that the trees to be retained are protected before, during and post development, an Arboricultural Method Statement has been submitted to support the application. This provides written details and plans of tree protection methodology, supervision and mitigation measures including protective barrier fencing/exclusion zones, ground/root protection, a schedule of tree works, an auditable system of arboricultural site monitoring by a suitably qualified arboricultural consultant and site procedures, construction materials/equipment storage, no-dig driveway construction and post-construction tree management.
- 8.19. The Borough Council's Tree Officer has assessed the application and the supporting information and raises no objections subject to the proposed scheme being implemented in full accordance with the details submitted within the Arboricultural Assessment and Arboricultural Method Statement and a landscaping condition to require prior approval of additional tree and hedgerow planting to mitigate proposed losses. Notwithstanding the objections received, subject to these conditions the proposal would be in accordance with Policies DM6 and DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.20. Policy DM10 of the adopted SADMP and Policy 2 of the emerging BNP require that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings or the future occupiers of the site.
- 8.21. Objections to the proposal have been received on the grounds that it would result in overbearing impacts and loss of privacy from overlooking to neighbouring occupiers and result in noise pollution and dust from parking.
- 8.22. The plans submitted with the application originally included a first floor balcony on the rear south west gable elevation and first floor windows in the south east side elevation that would have resulted in overlooking to adjacent gardens and loss of privacy to neighbouring occupiers. Amended plans have been received during the course of the application to seek to address these issues.
- 8.23. The amended rear (south west) elevation facing towards the rear gardens of 70 Britannia Road and 2 Lodge Close has only high level windows to a vaulted ceiling

in the rear gable set off the boundary with 2 Lodge Close by approximately 5 metres and first floor bedroom and en-suite windows set off the rear boundary with 70 Britannia Road by approximately 16 metres. There are also retained/protected trees that would provide a degree of screening and the submitted Arboricultural Assessment and Method Statement include proposals for additional tree planting inside the south west boundary to mitigate losses within the site. As a result of separation distances, the nature and position of first floor windows and screening, it is considered that the proposal would not result in any significant loss of privacy from overlooking or result in any significant adverse overbearing impacts on the occupiers of 70 Britannia Road or 2 Lodge Close.

- 8.24. The proposed dwelling would be set back completely from 1 Lodge Close and have an overall depth of 13.8 metres. The main (two storey) side elevation of the proposal would be set off the common side boundary by between 4.5 - 6 metres. A single storey orangery with a depth of 5.4 metres with a parapet roof to a height of 3.5 metres is also proposed set off the common side boundary by between 1 – 2 metres. Notwithstanding the projection of the proposal beyond the rear elevation of the adjacent dwelling, the site lies to the north west and by virtue of the separation distances and screening provided by the existing 1.8 metre high close boarded fencing to the boundary, it is considered that the proposal would not have any significant adverse overbearing or overshadowing impacts on the amenity of the occupiers of 1 Lodge Close. The amended south east side elevation facing towards the rear garden of 1 Lodge Close would have only high level windows to en-suite bathrooms set in from the boundary by approximately 5 metres and a high level roof light to a vaulted ceiling. As a result of separation distances, the nature and position of first floor windows and roof light and existing screening, it is considered that the proposal would not result in any significant loss of privacy to the occupiers of 1 Lodge Close from overlooking.
- 8.25. The north west side elevation facing the host dwelling (46 Lutterworth Road) would have two bedroom windows at first floor facing the retained garden but these would be set off the proposed new 1.8 metre high boundary wall/close boarded timber fence by 12.5 and 15.5 metres respectively. In addition there are a number of retained/protected trees that would provide screening to the host dwelling. As a result of separation distances, the position of first floor windows and screening, it is considered that the proposal would not result in any significant loss of privacy from overlooking or result in any significant adverse overbearing or overshadowing impacts on the occupiers of 46 Lutterworth Road.
- 8.26. The north east front elevation facing Lutterworth Road would be set back from the highway boundary by approximately 22 metres and screened from the existing dwellings on the opposite side of Lutterworth Road by retained/protected trees. By virtue of the separation distance and existing screening it is considered that the proposal would not result in any significant loss of privacy from overlooking or result in any significant adverse overbearing or overshadowing impacts on the occupiers of dwellings on the opposite side of Lutterworth Road.
- 8.27. By virtue of the proximity of the proposed dwelling to protected trees and the rear and side boundaries, a condition to remove permitted development rights for extensions and alterations would be reasonable and necessary in this case to protect trees to be retained and the privacy and amenity of the occupiers of neighbouring properties.
- 8.28. The proposed off-street parking and turning spaces within the site are adequate to serve the proposed dwelling and not considered to be likely to result in any significant adverse impacts on any neighbouring properties from off-site parking, noise pollution or dust.

- 8.29. Notwithstanding the objections received, by virtue of separation distances, two storey scale, nature and position of windows and existing and proposed screening, the proposal would not result in any significant adverse impacts on the privacy or amenities of the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP.

Impact upon highway safety

- 8.30. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Policy 5 of the emerging BNP requires two off-street parking spaces to be provided for each new dwelling, unless it is unachievable.
- 8.31. Objections to the proposal have been received on the grounds of highway and pedestrian safety. Objectors refer to high levels of traffic using Lutterworth Road, unrestricted on-street vehicle parking in the vicinity of the site causing traffic congestion and resulting in poor visibility from existing driveways and lack of a pedestrian footway on the site frontage. Objectors suggest that whilst visibility splays are shown for the new access, these have the potential to be obstructed by parked cars either side and therefore the development should seek traffic regulation orders to prevent on-street parking on this stretch of Lutterworth Road.
- 8.32. Lutterworth Road has a speed limit of 30 miles per hour and there are no parking restrictions within the vicinity of the site. There is a pedestrian footway on the opposite side of the road but none across the frontage of the application site.
- 8.33. The scheme proposes a new 4 metres wide block paved access drive at a right angle to Lutterworth Road. The width of the access exceeds highway design guidance of 2.75 metres to serve a single dwelling. The proposed double garage and driveway would provide a minimum of four parking spaces within the site which would be adequate to serve the proposed five bedroom dwelling and a turning space would be available to enable vehicles to enter and leave in a forward direction. A pair of access gates on pillars would be set back 6 metres behind the Lutterworth Road carriageway/highway boundary and are indicated as opening inwards which would allow a vehicle to pull clear of the highway whilst the gates are opened/closed.
- 8.34. For a road with a speed restriction of 30 miles per hour, highway design guidance seeks visibility splays of 2.4 metres x 43 metres. The submitted plans indicate that a visibility splay of 2.4 metres x 43 metres could be achieved in a south easterly direction (nearside) from the new access in accordance with highway design guidance. However, a visibility splay of only 2.4 metres x 33 metres could be achieved in a north westerly direction (offside) from the access due to the retained hedgerow on the highway boundary with the host dwelling. Notwithstanding that this would be less than highway design guidance, as this is to the less critical offside direction and the access would serve only one dwelling, it is considered that the proposal would not result in severe or significant highway safety concerns. To achieve these splays, the scheme requires the removal of a number of existing trees and the hedgerow adjacent to the highway boundary which works are detailed in the submitted Arboricultural Assessment and Arboricultural Method Statement. The proposal would not have any adverse effects on the access or adequate off-street parking arrangements available for the host dwelling.
- 8.35. Whilst the concerns raised regarding potential on-street parking are noted, this is an existing situation and the small scale of development for a single dwelling would not justify a requirement for a Traffic Regulation Order to address any likely additional impact as a result of the new access.

- 8.36. Notwithstanding the objections received, by virtue of the proposed layout, access design and small scale of development, the proposal would provide satisfactory access to the site and adequate off-street parking and turning to serve the proposed dwelling and would not result in any severe adverse impacts on highway or pedestrian safety. The proposal would therefore be in accordance with Policies DM17 and DM18 of the adopted SADMP.

Infrastructure contributions

- 8.37. Policy DM3 of the adopted SADMP requires development to contribute towards the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities. Policy 19 of the adopted Core Strategy seeks to address existing deficiencies in the quality, quantity and accessibility of green space and children's play provision within settlements. However, following amendments to national planning guidance, 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 1000 square metres. Therefore notwithstanding Policy DM3 of the adopted SADMP and Policy 19 of the adopted Core Strategy, no contribution has been pursued in this case.

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 site is within the settlement boundary of Burbage where new residential development is acceptable in principle. By virtue of the siting, layout, scale, high quality design and subject to the use of appropriate external materials, the proposal would complement and enhance the character of the surrounding area. Subject to conditions to require the development to be implemented in accordance with the submitted Arboricultural Assessment and Method Statement and replacement planting, the proposal would not result in any significant adverse impact on retained or protected trees within and around the site. By virtue of the layout, separation distances, two storey scale, nature and position of windows and existing and proposed screening by landscaping, the proposal would not result in any significant adverse impacts on the privacy or amenities of the occupiers of any neighbouring properties. By virtue of the proposed layout and access design the proposal would not result in any severe adverse impacts on highway or pedestrian safety. The proposal would therefore be in accordance with Policy 4 of the adopted Core Strategy and Policies DM1, DM6, DM10, DM17 and DM18 of the adopted SADMP. The proposal is therefore recommended for approval subject to conditions.

11. Recommendation

11.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

11.2. That the Interim Head of Planning 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 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. 1442-05 Rev B received by the local planning authority on 27 February 2018; Proposed Site Layout Drawing No. 1442-03 Rev I received by the local planning authority on 15 June 2018 and Proposed Floor Plans and Elevations Drawing No. 1442-06 Rev H, Arboricultural Assessment and Arboricultural Method Statement by FPCR and Appendices received by the local planning authority on 24 May 2018.

Reason: To define the permission and ensure satisfactory impact of the development to accord with Policies DM1, DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. 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 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Before any development commences, representative samples of the types and colours of all materials to be used on the external elevations of the dwelling hereby permitted 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 appearance in the interests of visual amenity to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The development hereby permitted shall be implemented at all times in complete accordance with the tree works, tree protection measures and tree mitigation and management measures detailed within the approved Arboricultural Assessment and Arboricultural Method Statement by FPCR received by the local planning authority on 24 May 2018.

Reason: To ensure that existing trees and hedgerows on the site that are to be retained are adequately protected before, during and post construction in

the interests of visual amenity and biodiversity in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Notwithstanding the submitted details, no development shall take place until full details of both hard landscape works and replacement soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:
 - a) Proposed finished levels or contours
 - b) Full details of boundary enclosure
 - c) Hard surfacing materials
 - d) Planting plans
 - e) Written specifications
 - f) Schedules of trees/plants, noting species, sizes and proposed numbers/densities where appropriate
 - g) Implementation programme.

Reason: To enhance the appearance of the development and to ensure that the works are carried out in a reasonable period of time to accord with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted.

Reason: To ensure that the works are carried out within a reasonable time period and thereafter maintained to accord with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on the approved Site Layout Plan Drawing No. 1442-03 Rev I have been implemented in full. Once so provided, the access arrangements shall be permanently maintained as such at all times thereafter.

Reason: To ensure safe access and egress to and from the site in the interests of general highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. No part of the development hereby permitted shall be occupied until such time as the vehicular visibility splays shown on the approved Site Layout Plan Drawing No. 1442-03 Rev I have been provided at the site access. Once so provided, these vehicular visibility splays shall thereafter be permanently maintained at all times thereafter.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. No part of the development hereby permitted shall be occupied until such time as the parking and turning facilities shown on the approved Site Layout Plan Drawing No. 1442-03 Rev I have been implemented in full. Once so provided, the parking and turning facilities shall be permanently maintained as such at all times thereafter.

Reason: To ensure that adequate off-street parking and turning provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. The development hereby permitted shall not be occupied until such time as the access drive (and parking and turning space) has been surfaced with permeable hard bound material (not loose aggregate) for a distance of at least 6 metres behind the highway boundary and, once provided, shall be permanently so maintained at all times thereafter.

Reason: To reduce the possibility of deleterious material (loose stones etc.) being deposited in the highway in the interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. Any gates, barriers, bollards, chains or other such obstructions to the new vehicular access hereby permitted shall be set back a minimum distance of 6 metres behind the highway boundary and shall be hung so as to open inwards only as shown on the approved Site Layout Plan Drawing No. 1442-03 Rev I.

Reason: To enable a vehicle to stand clear of the highway whilst the gates are opened/closed in order to protect the free and safe passage of traffic in the public highway in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. Prior to the first occupation of the dwelling hereby permitted the 1.8 metres high boundary wall and fencing shown on the approved Site Layout Plan Drawing No. 1442-03 Rev I shall be erected along the north west boundary of the application site and once so provided shall be permanently maintained as such at all times thereafter.

Reason: To protect the privacy and amenity of 46 Lutterworth Road, Burbage and the future occupiers of the site in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

14. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification) the dwelling hereby approved shall not be extended or altered without the grant of planning permission for such extensions or alterations by the local planning authority.

Reason: To protect the trees to be retained within the site in the interests of visual amenity to preserve the character of the area and to protect the privacy and amenity of the occupiers of neighbouring properties in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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. Application forms to discharge conditions and further information can be found on the planning portal website www.planningportal.gov.uk.
3. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
4. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid the necessity of discharging some surface water off-site, flow attenuation methods should be employed, either alone or, if practicable, in combination with infiltration systems and/or rainwater harvesting systems.
5. 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).