

Planning Committee 16th January 2024
Report of the Head of Planning

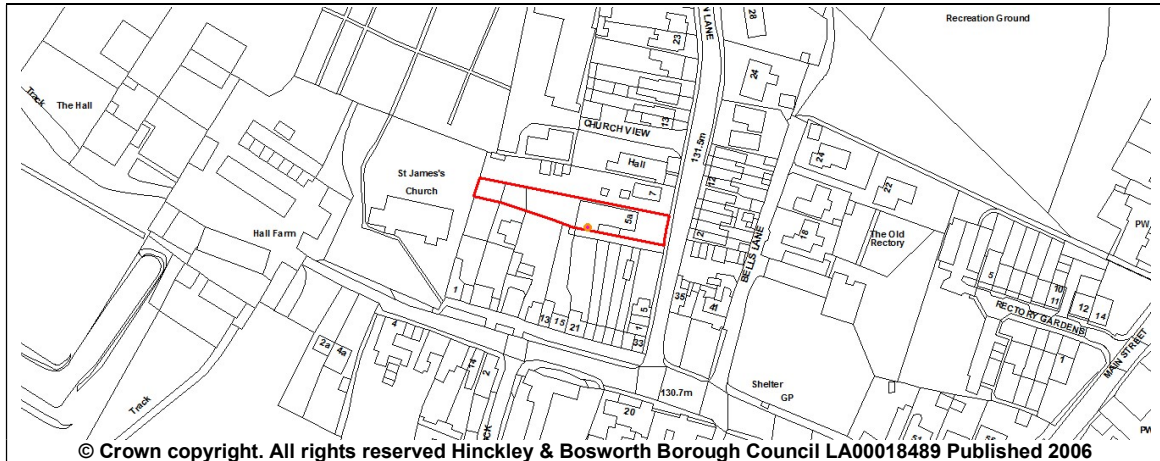
Planning Ref: 23/01047/FUL
Applicant: Mr Scott Wheatley
Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 5A Dragon Lane Newbold Verdon Leicester

Proposal: Change of use from residential dwelling (C3) to a 10-bedroom HMO (Sui-Generis)



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.
- That the Head of Planning be given powers to determine the final detail of planning conditions.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the change of use from a residential dwelling (Use Class C3) to a ten-bedroom House in Multiple Occupation (HMO) (Sui-Generis) at 5A Dragon Lane, Newbold Verdon. The scheme makes no alterations to the external appearance of the property, nor the site's access and off-street parking arrangements.
- 2.2. The scheme includes the employment of four full-time-equivalent members of staff who operate on a 24-hour-a-day basis through the provision of two full time employees and four part-time employees.
- 2.3. The Design and Access Statement states that the proposed use of the scheme is to support and accommodate up to ten single adults that are facing homelessness, substance misuse, offending behaviour, mental or physical health issues and/or unemployment. However, the proposed use does not accommodate applicants with convictions for offences such as serious violence, arson or that pose a risk to children. The Applicant has stated that they already run similar establishments in Charnwood, Melton and North West Leicestershire.

3. Description of the Site and the Surrounding Area

- 3.1. The 659sqm application site is located within the centre of Newbold Verdon, which is identified as a Key Rural Centre Stand Alone within the adopted Core Strategy (2009). The site consists of a large, brick-built, residential property that comprises a single-storey, gable-fronted element that leads to a two-storey gable-ended section of the dwelling further into the site. The single storey aspect of the dwellinghouse is set back from the public highway by 11m, which increases to 25m for the two-storey element of the property.
- 3.2. Dragon Lane is an adopted, but unclassified, public highway that is subject to a 30mph speed limit. Dragon Lane is wholly residential in character with dwellinghouses bordering the site to the north and south, and to the east on the opposite side of Dragon Lane. However, due to the variety of styles and designs of buildings, there is no discernible unique character to the street scene.
- 3.3. The application site is also adjacent to the Newbold Verdon Conservation Area to the south and the west of the site. Notably, the Church of St. James adjoins the western boundary of the site, which is a Grade II Listed Building, and a locally important building to the southern boundary of the site. Main Street is approximately 50 metres to the south of the site.
- 3.4. In 1997 the application site was permitted a change of use from a residential dwelling (Use Class C3) to a residential care home (Use Class C2) via planning permission 99/00772/FUL. It is noted that Planning Condition 02 of this planning permission restricted the use of the application site to the purposes of a residential care home for the elderly for no more than eight residents to ensure that the proposed use did not become a source of annoyance to nearby residents. Nevertheless, two additional bedrooms were provided within the extensions to the property via planning permission 99/00722/FUL, bringing the number of bedrooms for residents to ten, and no planning condition was reinstated to restrict the capacity of the property.
- 3.5. In 2022, the application site was permitted a change of use to revert the site back to a residential use (Use Class C3) via planning permission 22/00429/COU.
- 3.6. The development would be managed by the charity The Bayith Trust in association with a partner charity, Green Pastures. The trustees of The Bayith Trust have helped to deliver supported accommodation in communities across three Leicestershire local authorities including Charnwood Borough Council, Melton Borough Council, and North West Leicestershire District Council since 2003, which now collectively currently support and accommodate 129 people. Green Pastures is a charity that have worked across the country to tackle homelessness since 1999 and has provided a home and support for over 1,500 people.

4. Relevant Planning History

4.1 22/00429/COU

- Change of use from residential care home to single dwelling.
- Permitted
- 18.10.2022

4.2 99/00722/FUL

- Extension to residential home to the elderly.
- Permitted
- 08.12.1999

4.3 **97/00534/COU**

- Change of use to residential care home for the elderly.
- Permitted
- 23.07.1997

4.4 **97/00340/COU**

- Change of use to residential care home for the elderly.
- Refused
- 29.05.1997

4.5 **95/00378/FUL**

- Extension to dwelling.
- Refused
- 30.06.1995

4.6 **95/00116/COU**

- Conversion of playroom/store to attached dwelling.
- Permitted
- 06.04.1995

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 a notice was displayed in the local press.

5.2 In total, 16 members of the public have responded to the planning application and 13 of which are from separate addresses. A petition was also submitted on 29 November 2023 that featured 64 signatures, 44 of which were from unique addresses that had not separately responded to the planning application.

5.3 All responses objected to the planning application on the following grounds:

- Anti-social behaviour issues.
- Harm to the Newbold Verdon Conservation Area.
- Harm to existing overcapacity infrastructure.
- Highway safety concerns.
- Inappropriate location for proposed use.
- Lack of off-street parking provision.
- Lack of accessibility to public transport.
- Noise pollution
- The proposal is 'unfair' on the local community.
- Safety concerns.
- Risk to children.
- Risks to people who frequent the local park.

5.4 Anti-social behaviour concerns that have been raised include but are not limited to: arson; public order offences; sexual harassment and stalking; use of illegal substances; selling illegal substances; violence; and smoking and vaping.

5.5 Certain members of the public have suggested that these anti-social behaviour concerns are likely to be heightened by drug dealers and criminals knowing that the

application site is utilised as a house in multiple occupation. These concerns are also increased by the possibility that the HMO may be temporarily closed.

- 5.6 Some members of the public have suggested that the site's limited accessibility to services may present a risk of boredom to the future occupants of the scheme, which may encourage anti-social behaviour in the local area. In addition, several people have suggested that future occupants of the development will look for ways for entertainment and, "stimulation," which is considered to be a worry.
- 5.7 The Planning Officer notes that the scheme is for the provision of a ten-bedroom House in Multiple Occupation. Whilst the Applicant has set out who they will be accommodating, the backgrounds and personal circumstances of people who will live in this dwelling, as is the case in all dwellings, are unknown and are not considered to be a determinative factor within this planning application. Furthermore, there is no direct correlation between the provision of supported HMO accommodation and anti-social behaviour.
- 5.8 One member of the public also highlighted that the Applicant's information regarding staffing hours do not equate to a full week.
- 5.9 The Applicant has pointed out that they work within a regulatory framework that comprises the following:
- Charity Commission law and regulation
 - Health and Safety at Work Act 1974
 - Housing Health and Safety Rating System
 - Fire Safety (England) Regulations 2022
 - HBBC HMO Licensing
- 5.10 No further responses have been received.

6. Consultation

- 6.1 The application was called into Planning Committee by a Borough Councillor on 10 November 2023.
- 6.2 There have been no objections from the following consultants:
- Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer
 - HBBC's Drainage Officer
 - HBBC's Environmental Services' Pollution Officer
 - HBBC's Private Sector Housing
 - HBBC's Waste Management Officer (subject to conditions)
 - Local Highway Authority (LHA) (subject to conditions)
- 6.3 Leicestershire Fire and Rescue Service HQ and Newbold Verdon Parish Council have not commented on the application.

Conservation

- 6.4 The Council's Conservation Officer confirmed that, as no external changes are proposed to the property or within its surrounding plot within this application, the development is considered to have a neutral impact upon the adjacent Newbold Conservation Area. Therefore, the Conservation Officer considered the development to comply with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP), Section 16 of the National Planning Policy Framework (2023), and the

statutory duty of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Highways

- 6.5 In its view, the Local Highway Authority (LHA) advised that the impacts of the development on highway safety would not be unacceptable, and, when considered cumulatively with other developments, the impacts on the road network would not be severe, subject to the provision of two planning conditions.

Waste

- 6.6 The Council's Waste Management Officer stated that the Applicant needs to ensure that there is an area for residents to dispose of their waste in a legal manner. Therefore, the Waste Management Officer has requested a planning condition to ensure that the development provides waste and recycling storage and collection across the site. The storage area needs to be large enough to accommodate containers for both recycling and general waste as well as allowing room for the residents to use the containers correctly.

- 6.7 No further responses have been received.

7. Policy

- 7.1 Core Strategy (2009):

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone

- 7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

- 7.3 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

- 7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2022)

8. Appraisal

- 8.1. The key issues in respect of this application are therefore:

- Principle of development
- Design and impact upon the character of the area and the significance of the Newbold Verdon Conservation Area and the historic environment
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Principle of Development

- 8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.
- 8.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are detailed within Paragraph 8 of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development.
- 8.4 However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.
- 8.5 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document. The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.
- 8.6 Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF. Paragraph 33 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Nevertheless, in accordance with Paragraph 225 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF. Ultimately, the closer the policies in the plan are to the policies in the NPPF, the greater weight they may be given. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.
- 8.7 The development is within the identified settlement boundary of a Key Rural Centre. Therefore, the proposal is considered to be acceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of the report.

Design and Impact upon the Character of the Area and the Significance of the Newbold Verdon Conservation Area and the Historic Environment

- 8.8 Section 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.9 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and

government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

- 8.10 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the Local Planning Authority when determining applications for development which affects a Listed Building or its setting to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural and historic interest which it possesses.
- 8.11 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.
- 8.12 Section 16 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 8.13 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.14 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.15 The development makes no material changes to the external appearance of the property, nor the application site. Furthermore, the application site has previously accommodated a residential institute (Use Class 2) that has supported ten elderly residents. As a result, the use of the property as a ten-bedroom House in Multiple Occupation (HMO) is not considered to result in any significant adverse harm to the character of the surrounding area, nor the character and significance of the Newbold Verdon Conservation Area and the Grade II Listed Church of St. James. Therefore, the proposal is considered to be in accordance with Policies DM10, DM11, and DM12 of the SADMP, Section 16 of the NPPF, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the Good Design Guide.

Impact upon Residential Amenity

- 8.16 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.17 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

- 8.18 The external appearance and positioning of windows and doors are not moved within this development. Therefore, the scheme does not increase any potential overlooking, overbearing, loss of light or loss of privacy impacts to neighbouring amenity.
- 8.19 Whilst the Applicant has suggested that the property would be utilised to support single adults that are facing homelessness, substance misuse, offending behaviour, mental or physical health issues and/or unemployment, the application is for planning permission for a ten-bedroom House in Multiple Occupation (HMO). Furthermore, accommodation for people that potentially require support is not considered to, and cannot be stereotypically linked to, the increase noise and anti-social behaviour issues.
- 8.20 Notwithstanding this, the Applicant has confirmed that the property does not accommodate persons with convictions for arson, serious violence related offences, or who pose a risk to children. In addition, applications from, or on behalf of, potential beneficiaries are scrutinised by the charity in partnership with referral agencies. The management of residents of the scheme is also achieved by a conditioned licence agreement and house rules, which reference anti-social behaviour. Proven incidences of anti-social behaviour including noise, both within the application site and the wider community, are dealt with via sanctions and a regime of warnings, which lead to a scheduled, or immediate, eviction following serious or accumulated breaches. Residents failing to engage with staff, or their Support Plan will be subject to similar sanction, warning, and eviction regime.
- 8.21 Furthermore, any issues with noise and anti-social behaviour can be addressed via governing bodies outside of the planning process. For example, charities are regulated and monitored by the Charity Commission and the Charities Act 2023. In addition, the management and occupation of HMOs is regulated by The Management of Houses in Multiple Occupation (England) Regulations 2006. Ultimately, HMOs that contain more than five bedrooms are also required to apply for a licence from the Council that requires renewing every five years.
- 8.22 Hinckley and Bosworth Borough Council routinely inspect HMOs within the Borough to ensure that they are safe, managed properly, have adequate sanitary and kitchen facilities, and are not overcrowded. Typically, conditions are placed on HMO licences within the Borough that ensure that licence holders take all reasonable and practical steps to prevent or reduce anti-social behaviour by persons occupying or visiting the property. If these conditions are not adhered to the licence holder or the specific occupant may be subject to a fine of up to £30,000, the HMO licence may be revoked, and/or the specific occupant may be evicted.
- 8.23 Ultimately, the application site has previously accommodated a residential institute (Use Class C2) that has supported ten residents. Moreover, the Council's Pollution Officer has no objections to the scheme. As a result of the above and given that occupants and managers of HMOs must adhere to the conditions within their licences, the provision of a ten-bedroom House in Multiple Occupation (HMO) is not considered to result in any significant noise pollution impacts that have an adverse impact on neighbouring residential amenity in these site-specific circumstances.
- 8.24 To support the residential amenity of future occupiers of the scheme, Regulation 2 of The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018 within the amended Schedule 4 of the Housing Act 2004 to require the floor area of any room in a HMO used as sleeping

accommodation by one person to be a minimum of 6.51sqm and 10.22sqm when any room in a HMO is used as sleeping accommodation by two persons.

- 8.25 All the bedrooms within the development have a total footprint between 10.1sqm and 14.9sqm in accordance with Regulation 2 of The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 within the amended Schedule 4 of the Housing Act 2004.
- 8.26 Furthermore, HMOs occupied by six to ten people within the Borough are required to have a kitchen with a minimum size of 10sqm and there must be an additional living room or dining room with a minimum size of 16.5sqm. Alternatively, there must be a kitchen diner with a minimum size of 19.5sqm.
- 8.27 The development provides a 25.2sqm kitchen, a 26.1sqm dining room, and a 28.6sqm sitting room, which significantly exceeds the Borough's HMO requirements.
- 8.28 The Good Design Guide states that well-designed internal and external amenity space is critical to the quality of life of residents, and that ensuring adequate space between and around buildings is recognised as a core component of residential amenity. Whilst the requirements of the Good Design Guide apply to Use Class C3 dwellinghouses, the principle of the necessity for external residential amenity within the Good Design Guide reflects the requirements of Paragraph 130(f) of the NPPF, and Policy DM10 of the SADMP. Therefore, in the interests of well-designed places, the requirements of the Good Design Guide are relevant to this application.
- 8.29 To comply with the Good Design Guide, dwellings with three or more bedrooms must also provide a minimum of 80sqm of private outdoor amenity space with a minimum length of 7m.
- 8.30 The application site is considered to provide private outdoor amenity space that exceeds the requirements of the Good Design Guide.
- 8.31 The proposal provides accommodation and support for people who are in need of accommodation and support. Ultimately, it is the case that it is considered far better that such people are actively supported rather than not being supported and being left to find rented accommodation as individuals on their own.
- 8.32 By virtue of these factors, the proposal is not considered to result in any significant adverse impacts to the residential amenity of the future occupants of the scheme or amenity of any neighbouring properties in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.33 Section 9 of the NPPF promotes sustainable transport. Paragraph 114 of the NPPF states that planning decisions should ensure that developments provide appropriate opportunities to promote sustainable transport modes, given the type of development and its location and a safe and suitable access to the site for all users. Any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost-effectively mitigated to an acceptable degree.
- 8.34 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual

cumulative impacts on the road network would be severe, in accordance with Paragraph 115 of the NPPF.

- 8.35 Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).
- 8.36 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.37 Paragraph 3.151 (Quantum) of Part 3 of the LHDG requires three off-street vehicle parking spaces for four-bedroom dwellings. Paragraph 3.165 (Dimensions) of Part 3 of the LHDG requires minimum parking sizes to be 2.4m x 5.5m, and an additional 0.5m in width is required the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstructions on one side. This width increases to 1m if the parking space is bounded on both sides.
- 8.38 The scheme utilises, and makes no alterations to, the existing dropped kerb access from Dragon Lane. The development also retains four existing off-street vehicle parking spaces, which were in use when the property was formerly a care home. The Applicant states that these parking spaces will accommodate staff on site, including during shift changeover and a visitor vehicle, which is in line with the guidance set out within the County Council's Highway Requirements for Development (HRfD) for residential care homes.
- 8.39 The Applicant has stated that there is an equivalent of five full-time employed members of staff at the site, but there will only be two members of staff working on site at any one time with a third member of staff arriving at the site at the end of each shift during standard office hours. Only one member of staff will be on site at any one time outside of office hours.
- 8.40 The Local Highway Authority (LHA) acknowledges that HMOs do not have specific parking standards as detailed within the LHDG. However, as per Section 3.151 of Part 3 of the LHDG, when assessing the proposals compared to a residential dwelling, the LHA would normally require three off-street parking spaces for a dwelling with four or more bedrooms. Therefore, the scheme would be in accordance with the guidance set out in the LHDG.
- 8.41 In addition, there are on-street parking restrictions in the immediate vicinity of the site to prevent inappropriate off-street vehicle parking, and a bus stop for the hourly bus service, Service 153, within 98m of the application site to promote sustainable transport.
- 8.42 The LHA do note however that the proposed parking space dimensions indicated within the submitted 'Parking Provision Details Plan', of 2.4m by 4.8m, are not in accordance with the guidance set out in the LHDG, which states that parking dimensions should measure a minimum of 2.4m by 5.5m. However, it is in accordance with the minimum requirements set out in the Manual for Streets. Therefore, the LHA are satisfied with the information provided by the Applicant.

8.43 The Applicant also proposes the provision of secure cycle parking, which is welcomed, and secured via planning condition in order to promote sustainable transport choices for residents.

8.44 Given the above, it is considered that the impacts of the development on highway safety are not unacceptable, and, when considered cumulatively with other developments, the impacts on the road network would not be severe. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

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, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3 There are no known equality implications arising directly from this development.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.
- That the Head of Planning be given 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 91 of the Town and Country Planning Act 1990, as amended by 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 received by the Local Planning Authority as follows:
 - Block Plan (submitted: 02.11.2023)
 - Floor Plans and Elevations (submitted: 02.11.2023)
 - Site Location Plan (submitted: 02.11.2023)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The development hereby permitted shall not be first used until such time as the scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted in writing to, and approved in writing by, the Local Planning Authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.

Reason: To support the policies within the Wheeled Bin and Container Policy (updated March 2018) and to ensure that there is adequate provision of waste and recycling storage so that the amenity of the occupants of the proposed development are not adversely affected in accordance with Hinckley and Bosworth Borough Council's Wheeled Bin and Contained Policy (updated March 2018), Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Section 46 of the Environmental Protection Act 1990.

4. The development hereby permitted shall not be occupied until such time as secure cycle parking shall be provided in accordance with details first submitted in writing to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2023).

5. The development hereby permitted shall not be occupied until such time as the parking facilities have been implemented in accordance with the parking Provision Details Plan received by the Local Planning Authority on 2 November 2023. Thereafter the onsite parking provision shall be kept available for such use in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

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. With effect from 01 October 2018, all Houses in Multiple Occupation (HMOs) having five or more occupants from two or more separate households require to be licensed by the Council. Please consult the Council's webpages for further information on how to make such an application.
3. Hinckley & Bosworth Borough Council's recycling and refuse collection services are from the boundary to the adopted highway. Please refer to the policies within the Wheeled Bin and Container Policy (updated March 2018). It would be advisable to include an area near the roadside for the safe placement of the various containers on collection day. This will then keep the access clear to allow vehicular access. It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.