

Proposed Conversion of attached outbuilding to form one residential dwelling

Report Item No
A4

19 Main Street Breedon On The Hill Derby DE73 8AN

Application Reference
15/01103/FUL

Applicant:
Mr & Mrs Butterworth

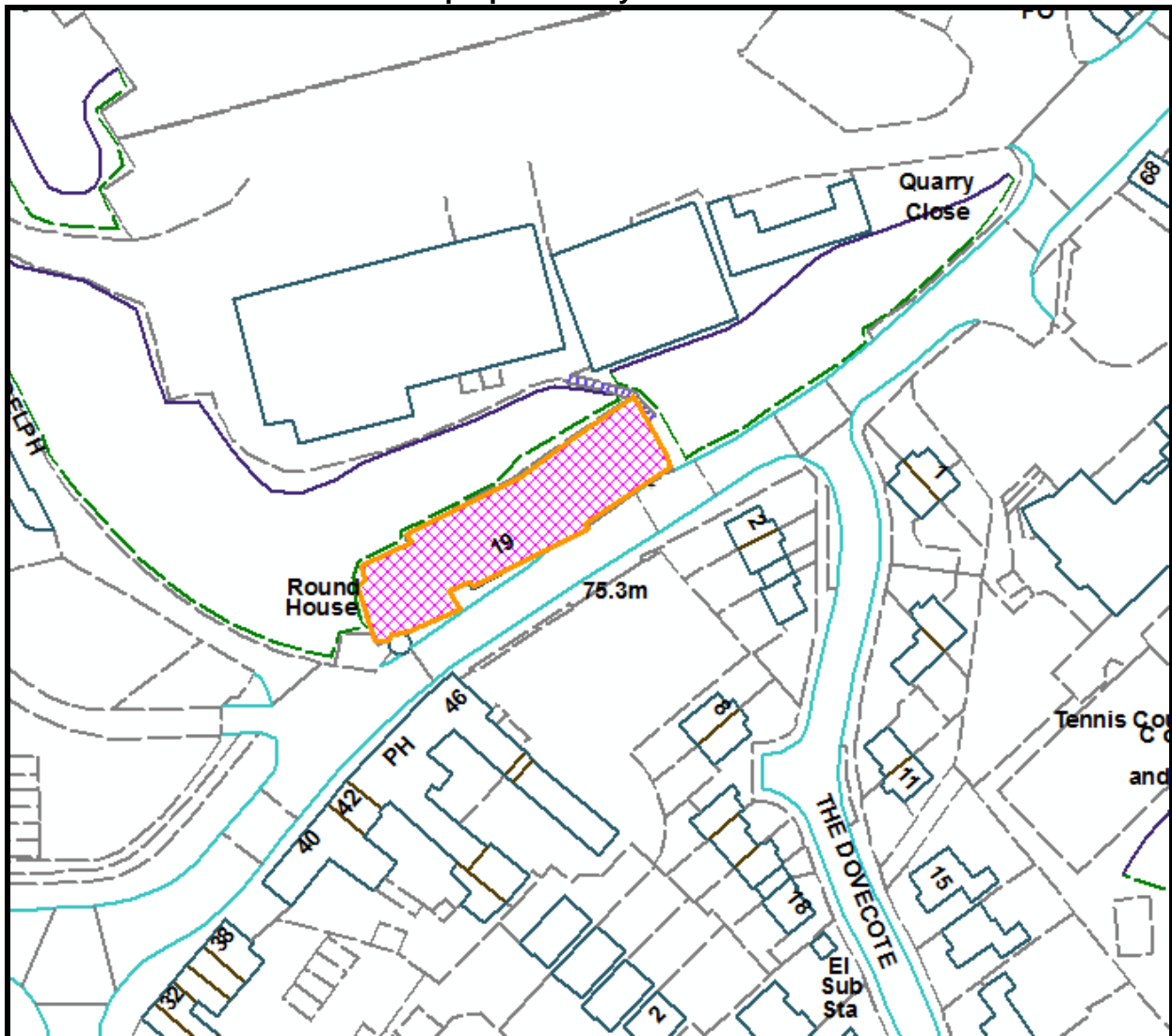
Date Registered
18 February 2015

Case Officer:
Adam Mellor

Target Decision Date
15 April 2015

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS

Call In

The application is brought to the Planning Committee as the agent for the application is related to three serving councillors (Caroline Large, Charles Meynell and Richard Blunt).

Proposal

Permission is sought for the conversion of an attached outbuilding to a residential property at No. 19 Main Street, Breedon on the Hill. Externally the conversion would involve the insertion of windows and doors but no increase in the scale of the building with off-street parking being provided to serve both No. 19 and any future property. The site lies within the Breedon on the Hill Conservation Area as well as the defined limits to development.

Consultations

No letters of representation from neighbours have been received to date and a response from Breedon on the Hill Parish Council is expected prior to the Planning Committee. All other statutory consultees, with the exception of the County Council Ecologist, have raised no objections.

Planning Policy

It is considered that the development would comply with all relevant Paragraphs of the National Planning Policy Framework (NPPF) as well as the relevant Policies of the North West Leicestershire Local Plan and Circular 06/05.

Conclusion

In conclusion, the site lies within limits to development where there is a presumption in favour of development subject to all other matters being addressed.

Breedon on the Hill is accessible via public transport and has a good level of local services which would allow it to be considered a sustainable settlement in supporting new residential development. The provision of an additional dwelling would also help sustain the local services and, overall, the scheme would be compliant with the principle intentions of the NPPF as well as Paragraphs 28 and 55 and Policy H4/1 of the Local Plan. The provision of the dwelling would also not result in the loss of any residential garden associated with No. 19 Main Street and as such the scheme would accord with Paragraph 53 of the NPPF.

An acceptable relationship would exist between No. 19 Main Street and the new property with sufficient amenity space also being provided to the new dwelling which would not be duly affected by vehicular movements or surrounding uses which generate noise (Breedon Quarry and The Three Horse Shoes public house). As such the development would accord with Paragraph 123 of the NPPF and Policy E3 of the Local Plan.

Only minor alterations would be undertaken to the external appearance of the building in order for it to be converted which would ensure its historic integrity is preserved and would ensure that it becomes integrated into the existing streetscape and surrounding area. As such the development would accord with Paragraphs 57, 60, 61, 131, 132 and 134 of the NPPF and Policies E4 and H7 of the Local Plan.

It is considered that the relocation of the boundary wall and improvements in the visibility achieved at the site access would represent a highway gain and as such would ensure that the proposal would not be severely detrimental to highway safety and would accord with Paragraph 32 of the NPPF and Policy T3 of the Local Plan. Sufficient off-street parking would also be

available for the development, as well as the existing dwelling, in accordance with Paragraph 39 of the NPPF and Policy T8 of the Local Plan.

Given the works which could be carried out internally and externally to the building without planning permission, as a form of permitted development given that the outbuilding is contained within a residential curtilage, it is considered that there would not be sufficient detriment to protected species subject to a relevant note to the applicant being attached to any planning permission granted. A suitable landscaping scheme for the private amenity area could also be secured by a condition. Overall, therefore, the development would not conflict with the intentions of Paragraph 118 of the NPPF, Circular 06/05 or Policy E7 of the Local Plan.

Accordingly the application is recommended for approval of planning permission, subject to the imposition of planning conditions.

RECOMMENDATION - APPROVE, subject to conditions;

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

Main Report

1. Proposals and Background

Planning permission is sought for the proposed conversion of attached outbuildings to form one residential dwelling at 19 Main Street, Breedon on the Hill. No. 19 Main Street is a three-storey (with habitable accommodation in the roof slope) detached dwelling situated on the north-western side of the street, where it abuts the public highway. An existing vehicular access into the site provides off-street car parking and access to a detached double garage. The site is situated within the defined limits to development, as defined on the Proposals Map to the North West Leicestershire Local Plan, and is also within the Breedon on the Hill Conservation Area. Within the immediate area are residential properties, which vary in their type and design, a public house on the south-eastern side of Main Street (The Three Horse Shoes opposite the site) and Breedon Quarry to the north.

It is proposed that a single storey attached outbuilding, currently used for storage and a lounge for No. 19, would be converted to a residential dwelling with the only external alterations being carried out being the removal of three windows in the north-eastern (side) elevation and the insertion of three new windows and the removal of three storage doors (one a double door) and the insertion of an entrance door, two windows and four roof lights in the north-western (rear) elevation. There would be no increase in the footprint or height of the building. Internally a first floor would be created which would enable the accommodation to provide a lounge, dining room, hall, kitchen and bathroom at ground floor level and two bedrooms and a shower room at first floor level for the occupants.

Vehicular access to the dwelling would be provided for via the existing access serving No. 19 and in addition to the above works the existing 0.6 metre high boundary walls at the access would be removed and set back in order to provide appropriate visibility splays with a small amenity area being provided to serve the dwelling adjacent to the north-eastern (side) elevation. Off-street parking for both the new property and No. 19 would be accommodated on the site.

A design and access statement, incorporating a heritage statement, has been submitted in support of the application.

The planning history of the site is as follows: -

- 77/1490/P - Demolition of cafe and conversion of home into three flats - Approved 14th February 1978;
- 82/0981/P - Change of use to dwelling and popcorn manufacture - Approved 5th January 1983.

2. Publicity

3 neighbours have been notified (Date of last notification 6 March 2015)

Site Notice displayed 18 March 2015

Press Notice published 18 March 2015

3. Consultations

Breedon Ward consulted 6 March 2015

County Highway Authority consulted 6 March 2015

Severn Trent Water Limited consulted 6 March 2015

County Archaeologist consulted 6 March 2015

LCC ecology consulted 6 March 2015
NWLDC Conservation Officer consulted 6 March 2015
Head of Environmental Protection consulted

4. Summary of Representations Received

The following summary of representations is provided. Members will note that full copies of correspondence received are available on the planning file.

Breedon on the Hill Parish Council a representation is due by the 14th April 2015 and as such will be reported to Members via the Update Sheet.

Leicestershire County Council - Archaeology has no objections and considers that the proposal will not result in a direct impact on the site of archaeological interest or listed building.

Leicestershire County Council - Ecology objects to the application due to the absence of a bat survey and the potential for the existing roof space of the attached outbuilding to be impacted on.

Leicestershire County Council - Highways has no objections subject to the imposition of conditions.

NWLDC - Conservation Officer has no objections.

NWLDC - Environmental Protection has no objections.

Severn Trent Water no representation received to date. Any representation received after the publication of the Committee Agenda will be reported to Members via the Update Sheet.

Third Party Representations

No third party representations have been received to date. Any representations received after the publication of the Committee Agenda will be reported to Members via the Update Sheet.

5. Relevant Planning Policy

National Policies

National Planning Policy Framework

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraph 10 (Achieving sustainable development);
Paragraph 14 (Presumption in favour of sustainable development);
Paragraph 17 (Achieving sustainable development);

Paragraph 28 (Supporting a prosperous rural economy);
Paragraph 32 (Promoting sustainable transport);
Paragraph 39 (Promoting sustainable transport);
Paragraph 49 (Delivering a wide choice of high quality homes);
Paragraph 53 (Delivering a wide choice of high quality homes);
Paragraph 55 (Delivering a wide choice of high quality homes);
Paragraph 57 (Requiring good design);
Paragraph 60 (Requiring good design);
Paragraph 61 (Requiring good design);
Paragraph 118 (Conserving and enhancing the natural environment);
Paragraph 123 (Conserving and enhancing the natural environment);
Paragraph 128 (Conserving and enhancing the historic environment);
Paragraph 129 (Conserving and enhancing the historic environment);
Paragraph 131 (Conserving and enhancing the historic environment);
Paragraph 132 (Conserving and enhancing the historic environment);
Paragraph 134 (Conserving and enhancing the historic environment);
Paragraph 137 (Conserving and enhancing the historic environment);
Paragraph 203 (Planning conditions and obligations);
Paragraph 204 (Planning conditions and obligations);

Adopted North West Leicestershire Local Plan (2002)

The application site is within the Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Policy S2 - Limits to Development;
Policy E3 - Residential Amenities;
Policy E4 - Design;
Policy E7 - Landscaping;
Policy T3 - Highway Standards;
Policy T8 - Parking;
Policy H4/1 - Housing Land Release;
Policy H7 - Housing Design;

Other Policies

National Planning Practice Guidance

In March 2014 the Government published National Planning Practice Guidance (NPPG) to supplement the NPPF. The Guidance does not change national policy but offers practical guidance as to how such policy is to be applied.

6Cs Design Guide (Leicestershire County Council)

The 6Cs Design Guide sets out the County Highway Authority's requirements in respect of the design and layout of new development;

Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System)

Circular 06/2005 sets out the procedures that local planning authorities should follow when considering applications within internationally designated sites and advises that they should have regard to the EC Birds and Habitats Directive in the exercise of their planning functions in order to fulfil the requirements of the Directive in respect of the land use planning system. The Circular sets out a flow chart for the consideration of development proposals potentially affecting European sites.

6. Assessment

Principle and Sustainability

The site is located within the limits to development where the principle of residential development is considered acceptable subject to compliance with the relevant policies of the adopted North West Leicestershire Local Plan and other material considerations.

In March 2012 the National Planning Policy Framework (NPPF) was published and introduces the presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved without delay and where relevant policies are out of date planning permission should be granted unless the adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies as a whole or if specific policies in the NPPF indicate development should be restricted.

Policy H4/1 of the Local Plan relating to the release of land for housing states that a sequential approach should be adopted. Whilst a sequential approach is outdated in the context of the NPPF, the sustainability credentials of the scheme would still need to be assessed against the NPPF.

Breedon on the Hill benefits from a range of local services including a bus service, running between Coalville and East Midlands Airport, a primary school, community centre, post office and shop, two public houses and a butchers. Given this level of service it is considered that a scheme for one dwelling would score well against the sustainability advice contained within the NPPF with the provision of one dwelling also helping to sustain these services in the future which is a key intention of Paragraphs 28 and 55 of the NPPF.

Paragraph 53 of the NPPF outlines that inappropriate development of residential gardens should be resisted where there is the potential that development would cause harm to the local area. In technical terms the application would not result in the loss of any of the residential garden associated with No. 19, which is situated to the south-west of the property, and would be contained within an existing structure whose external appearance would not be significantly altered. The implications of the development to the character and appearance of the streetscape and surrounding area (as discussed in more detail below) would not be sufficiently detrimental to justify a refusal of the application, given the above conclusion, and as such there would not be conflict with the aims of Paragraph 53.

Residential Amenity

The property most immediately affected by the proposed works would be No. 19 Main Street itself with the occupants amenities not being impacted on by any overbearing or overshadowing impacts given that the external scale of the attached outbuilding would not increase. In respect of overlooking impacts it is considered that whilst openings would be formed in the north-western (rear) elevation of the outbuilding (serving a lounge, hall and kitchen) there would be no direct views established into windows which exist at ground floor level in the north-eastern (side) elevation of No. 19 with the private amenity area for No. 19 lying to the south-west and as a result not directly impacted on. As such there would be no detrimental overlooking impacts.

In terms of the amenities of any future occupant of the new dwelling it is considered that the established relationship with No. 19 would ensure that there would be no overbearing or overshadowing impacts. It is also considered that there would be no detrimental overlooking impacts into the property given the oblique angle of view established from ground floor windows in No. 19. There would also be no views established from No. 19 onto the proposed amenity area for the new dwelling subject to the provision of suitable boundary treatments which would be secured by a condition. It is also considered that the size of the private amenity area would

be sufficient for a two bedroom dwelling as proposed.

With regards to the potential noise generated by the movement of vehicles around the new property and its associated amenity area it is considered that the level of traffic associated with two properties would not be significant and would not be too dissimilar to having a development on a corner site with a road running close to the dwelling and its associated garden, which was considered in a 2004 appeal to be an acceptable yardstick for an acceptable standard (Appeal Ref: APP/G2435/A/08/2065885/WF). In the circumstances that the Council's Environmental Protection Officer has raised no objections, as well as taking into account the above conclusions, it is considered that the occupants of the new dwelling would not be subjected to any significant levels of noise or disturbance from vehicular movements, or a relationship with Breedon Quarry or The Three Horse Shoes public house, as to justify a refusal of the application. Also, in any case, the future occupant of the property would be aware of such relationships prior to any potential purchase.

Overall, therefore, the scheme would accord with Paragraph 123 of the NPPF and Policy E3 of the Local Plan.

Impact on the Historic Environment and Streetscape

No. 19 Main Street is recognised as an '*unlisted building of interest which is considered to make a positive contribution to the street-scape of the conservation area*' in the Breedon on the Hill Conservation Area Appraisal of 2001. Whilst this is the case it is considered that the proposed external alterations, insertion/replacement windows and doors, would be kept to those elevations which would not be significantly visible from the public domain and, in any case, could be carried out as a form of permitted development for which planning permission would not be required. Whilst the existing boundary wall would be removed, which occupies a traditional position on the highway boundary, the wall is of limited merit and its loss would not cause significant conservation concern. In these circumstances it is considered that the historic significance of the heritage asset would be preserved.

The implications of the development to the character and appearance of the wider streetscape and surrounding area would also not be significant given that the principle (south-eastern front) elevation would not be altered. A suitable boundary treatment scheme for the amenity area could also be secured via a planning condition.

It is proposed that timber windows and doors would be installed in the building with any 'infilling' of gaps created by the removal of windows maintaining the render appearance. The use of these materials is considered to be appropriate and would respect the characteristics of the streetscape and surrounding area.

Overall the development would accord with the intentions of Paragraphs 57, 60, 61, 131, 132 and 134 of the NPPF and Policies E4 and H7 of the Local Plan.

Highway Safety

The County Highways Authority has outlined that they would usually seek to resist a development which resulted in an increase in the use of a substandard access however, in this instance, it is considered that the improvements to visibility by the reduction in height and re-siting of the existing wall at the frontage would result in a highway gain. Taking this into account, as well as the fact that the building could be converted to ancillary accommodation without planning permission and the absence of an accident record in the vicinity no objections would be raised subject to the imposition of relevant conditions.

Due to the position of the attached outbuilding a visibility splay of 2.4 metre by 10.0 metre in a south-western direction would be the maximum achieved as part of the development but this represents an improvement over the existing situation due to the boundary wall, of 0.9 metres in height, abutting the highway and as such severely restricting the available visibility. In the circumstances that Paragraph 32 of the NPPF outlines that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe,*" it is considered that this enhancement in the visibility achieved when exiting the site, coupled with the fact that adequate space exists within the confines of the site to ensure that vehicles exit the site in a forward direction, would ensure that the proposal would not be severely detrimental to highway safety and as such the proposal would accord with Paragraph 32 of the NPPF as well as Policy T3 of the Local Plan.

The plans outline that three off-street parking spaces would be available to serve No. 19 with an additional two parking spaces being provided to serve the new dwelling and this level of parking is considered to be sufficient in accordance with Paragraph 39 of the NPPF, Policy T8 of the Local Plan and the 6C's Design Guide.

Ecology

The County Ecologist has outlined that a bat survey should be submitted in support of the application given the works proposed internally within the building may impact on bats, a protected species, due to the site being adjacent to good bat foraging opportunities.

Whilst acknowledging this view it is considered that the external scale of the building would not be altered and internal works could be carried out within the roof space area of the attached outbuilding without planning permission, as a form of permitted development, which would have the same implications to protected species as the current proposal. Therefore, it is considered that the development would not have significant conflict with the principles of Paragraph 118 of the NPPF or Circular 06/05 as to warrant a refusal of the application. Although this is the case a relevant note to the applicant would be attached to any planning consent to make them aware of the guidance that should be adhered to should bats be discovered.

Landscaping

The proposal will create a small private amenity space for the new dwelling and as such a condition would be imposed on any consent granted to ensure that a suitable landscaping scheme is provided on this land to accord with the intentions of Policy E7 of the Local Plan.

Summary Reasons for Granting Planning Permission

In conclusion, the site lies within limits to development where there is a presumption in favour of development subject to all other matters being addressed.

Breedon on the Hill is accessible via public transport and has a good level of local services which would allow it to be considered a sustainable settlement in supporting new residential development. The provision of an additional dwelling would also help sustain the local services and, overall, the scheme would be compliant with the principle intentions of the NPPF as well as Paragraphs 28 and 55 and Policy H4/1 of the Local Plan. The provision of the dwelling would also not result in the loss of any residential garden associated with No. 19 Main Street and as such the scheme would accord with Paragraph 53 of the NPPF.

An acceptable relationship would exist between No. 19 Main Street and the new property with sufficient amenity space also being provided to the new dwelling which would not be duly affected by vehicular movements or surrounding uses which generate noise (Breedon Quarry and The Three Horse Shoes public house). As such the development would accord with

Paragraph 123 of the NPPF and Policy E3 of the Local Plan.

Only minor alterations would be undertaken to the external appearance of the building in order for it to be converted which would ensure its historic integrity is preserved and would ensure that it becomes integrated into the existing streetscape and surrounding area. As such the development would accord with Paragraphs 57, 60, 61, 131, 132 and 134 of the NPPF and Policies E4 and H7 of the Local Plan.

It is considered that the relocation of the boundary wall and improvements in the visibility achieved at the site access would represent a highway gain and as such would ensure that the proposal would not be severely detrimental to highway safety and would accord with Paragraph 32 of the NPPF and Policy T3 of the Local Plan. Sufficient off-street parking would also be available for the development, as well as the existing dwelling, in accordance with Paragraph 39 of the NPPF and Policy T8 of the Local Plan.

Given the works which could be carried out internally and externally to the building without planning permission, as a form of permitted development given that the outbuilding is contained within a residential curtilage, it is considered that there would not be sufficient detriment to protected species subject to a relevant note to the applicant being attached to any planning permission granted. A suitable landscaping scheme for the private amenity area could also be secured by a condition. Overall, therefore, the development would not conflict with the intentions of Paragraph 118 of the NPPF, Circular 06/05 or Policy E7 of the Local Plan.

Accordingly the application is recommended for approval of planning permission, subject to the imposition of planning conditions.

RECOMMENDATION - PERMIT, subject to the following conditions;

- 1 The development 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).

- 2 The proposed development shall be carried out strictly in accordance with the site location plan (1:1250) and drawing numbers 19M.EXP.001 (Existing Plan), 19M.PRP.002 Revision C (Proposed Plan), 19M.EXE.003 (Existing Elevations), 19M.PRE.004 Revision A (Proposed Elevations), 19M.EXS.005 (Existing Sections), 19M.PRS.006 Revision C (Proposed Sections and Second Floor Plan), received by the Local Authority on the 18th February 2015, unless otherwise required by another condition of this permission.

Reason - to determine the scope of the permission.

- 3 The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority.

Reason - to ensure a satisfactory standard of external appearance given the sites location within the Breedon on the Hill Conservation Area.

- 4 Notwithstanding the details shown on the approved plans before first occupation/use of the dwelling, hereby approved, a scheme of soft and hard landscaping for the private amenity space and boundary treatment scheme for the amenity space shall be submitted to and agreed in writing by the Local Planning Authority. The approved soft landscaping scheme shall be implemented in the first planting and seeding season following the first occupation/use of the dwelling with the hard landscaping and boundary treatment scheme being provided in full prior to the first occupation/use of the dwelling unless alternative implementation programmes are first agreed in writing with the Local Planning Authority.

Reason - to ensure a satisfactory landscaping scheme is provided within a reasonable period and in the interests of highway safety as well as visual and residential amenity given the site's location in the Breedon on the Hill Conservation Area.

- 5 Any tree or shrub which may die, be removed or become seriously damaged shall be replaced in the first available planting season thereafter and during a period of 5 years from the first implementation of the approved landscaping scheme or relevant phase of the scheme, unless a variation to the landscaping scheme is agreed in writing with the Local Planning Authority.

Reason - to provide a reasonable period for the replacement of any trees.

- 6 Prior to the first occupation of the dwelling, hereby approved, the off-street car parking and turning facilities shall be provided within the site, surfaced and marked out in accordance with the details shown on drawing number 19M.PRP.002 Revision C, received by the Local Authority on the 18th February 2015. Once provided the parking and turning facilities shall thereafter be so maintained, and not obstructed, at all times.

Reason - to ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area and enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.

- 7 Prior to the first occupation of the dwelling, hereby approved, the wall fronting the site shall be reduced in height and maintained in perpetuity at a maximum of 0.6 metres above the level of the adjacent carriageway. Any new or replacement hedge shall not be set, nor allowed to grow to a height exceeding 0.6 metres above the level of the adjacent carriageway.

Reason - to afford satisfactory visibility at the junction to cater for the expected volume of traffic on the existing highway network and in the interests of general highway safety.

- 8 Any shared private drives serving no more than a total of 5 dwellings shall be a minimum of 4.25 metres wide for at least the first 5 metres behind the highway boundary and have a drop crossing of a minimum size as shown in Figure DG20 of the 6CsDG at its junction with the adopted road carriageway. The access drive shall be provided before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained.

NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If so bounded on both sides, additional 0.5 metre strips will be required on both sides.

Reason - to ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway.

- 9 If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 5 metres behind the highway boundary and shall be hung so as not to open outwards.

Reason - to enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.

- 10 The gradient(s) of the access drive(s) shall not exceed 1:12 for the first 5 metres behind the highway boundary.

Reason - to enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.

- 11 Before first use of the development, hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway including private access drives, and thereafter shall be so maintained.

Reason - to reduce the possibility of surface water from the site being deposited in the highway causing dangers to highway users.

- 12 Notwithstanding the provisions of Part 1 (Class A - E) of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the dwelling hereby permitted shall not be enlarged, improved or altered, nor shall any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse be provided unless planning permission has first been granted by the Local Planning Authority.

Reason - to enable the Local Planning Authority to retain control over future development in view of maintaining the overall appearance of the scheme as envisaged by the Local Authority and in the interests of the preservation of the Breedon on the Hill Conservation Area.

Notes to applicant

- 1 Planning permission has been granted for this proposal. The Local Planning Authority acted pro-actively through positive engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).
- 2 As of the 22nd November 2012 written requests to discharge one or more conditions on a planning permission must be accompanied by a fee of £97.00 per request. Please contact the Local Planning Authority on (01530) 454665 for further details.
- 3 Bats are a rare and declining group of species. Hence, all British species of bat and bat roosts are fully protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats) Regulations 1994 making it an offence to intentionally kill or injure or disturb these species whilst in a place of shelter or protection

- or disturb bat roosts. If bat or bat roosts are discovered during work on the development, the relevant work should be halted immediately and Natural England (Tel. 0115 929 1191) should be notified and further advice sought. Failure to comply with this advice may result in prosecution and anyone found guilty of an offence is liable to a fine of up to £5,000.00 or to imprisonment for a term not exceeding six months, or both.
- 4 The applicant must ensure that people carrying out the works are made aware of the legal status of breeding birds, and that they proceed with care to ensure that if any breeding birds are present, they are not killed, injured or disturbed. If a breeding bird is discovered it should be left undisturbed and the relevant work should be halted immediately until the young birds have flown. Failure to comply with this may result in prosecution any anyone found guilty of an offence is liable to a fine of up to £5,000.00 or to imprisonment for a term not exceeding six months, or both, as it is an offence to disturb nesting/breeding birds.
 - 5 Please be aware that Leicestershire County Council as Lead Local Flood Authority (LLFA) are currently not a statutory consultee to the planning process for surface water management. A proposal to make the LLFA a statutory consultee is currently out to consultation. Please note that from 6 April 2015 the responsibility for approval of sustainable drainage systems will rest with Local Planning Authorities. More information, including options for future maintenance, can be found at: <https://www.gov.uk/government/consultations/sustainable-drainage-systems-changes-to-the-planning-system>.
 - 6 This planning permission does NOT allow you to carry out access alterations in the highway. Before such work can begin, separate permits or agreements will be required under the Highways Act 1980 from either the Infrastructure Planning team (for 'major' accesses serving more than one dwelling) or the Highways Manager (for 'minor' accesses serving one dwelling only). For further information, including contact details, you are advised to visit the County Council website as follows: -
For 'major' accesses - see Part 6 of the '6Cs Design Guide' at www.leics.gov.uk/6csdg
For 'minor' accesses serving one dwelling contact the Customer Service Centre team
Tel: 0116 3050001.
 - 7 The highway boundary is the edge of the carriageway/road at the point of the access.