Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Mr Ian Hill
2 Forest Road
Hinckley
Leicestershire
LE10 4HB

Name and Address of Agent (if any)
Mr Martin Dennis
10 Wesley Close
Sapcote
Leicestershire
LE9 4HY
England

Part I - Particulars of Application

Date of Application	**Application No.**
16 September 2008	08/00907/FUL

Particulars and location of development :

ERECTION OF ONE DWELLING

44 Forest Road Hinckley Leicestershire LE10 1HB

Part II - Particulars of decision

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, is of a suitable scale, in keeping with the streetscene, acceptable in terms of neighbours amenity and highway safety.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, RES5, IMP1, REC3, and T5

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application form and plans submitted, subject to the following conditions :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwelling 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.

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 approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1Classes B and C shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

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IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ON THE REVERSE SIDE OF THIS FORM

10. The development hereby permitted shall not commence before the provision and maintenance of off-site open space or facilities whether by off-site physical provision or financial contributions as required in accordance with policy REC3 of the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide has been secured in such a manner as is approved in writing by the Local Planning Authority

10. No walls, planting or fences shall be erected or allowed to grow on the highway boundary exceeding 0.9 metres in height above the level of the adjacent carriageway.

10. The car parking and any turning facilities shown within the curtilage of the application site and those for No. 44 Forest Road shall be provided and surfaced with a hard bound porous material (not loose aggregate), before the new dwelling is first occupied and shall thereafter be so maintained and available for such use.

10. Notwithstanding the submitted plan, before the development is first brought into use the existing dropped kerb fronting the proposed dwelling shall be extended to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority to cover the full width of the proposed access/parking area for the dwelling hereby permitted.

10. 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 and thereafter shall be so maintained.

10. This permission relates to the application as revised by amended plan M1135/1a and M1135/2a received by the Local Planning Authority on 10 November 2008.

10. Prior to commencement of development, a scheme for the boundary treatment of the site shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details prior to first occupation of the dwelling hereby approved.

The reasons for the conditions are :-

10. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

10. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

10. To ensure that the proposed development is compatible with the street scene and to safeguard the residential character of the area, to accord with policies BE1 and RE5 of the adopted Hinckley and Bosworth Local Plan.

10. To ensure that the proposed development is compatible with the street scene and to safeguard the residential character of the area, to accord with policies BE1 and RE5 of the adopted Hinckley and Bosworth Local Plan.

10. To ensure the provision of adequate play and open space within the vicinity of the site in accordance with policy REC3 of the adopted Hinckley and Bosworth Local Plan.

10. To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety and to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan.

10. To ensure that adequate off-street parking provision is available to reduce the possibilities of the proposed development leading to on-street parking problems in the area, to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan.

10. To reduce the possibility of the kerbs and the footway being damaged by vehicles entering and exiting the site, to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan.

10. In the interests of road safety.

10. For the avoidance of doubt.

11. To ensure that the development is not detrimental to the privacy and amenity of the neighbouring property, to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

NOTES TO APPLICANT :-

1. Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2. This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. List of plans used in the determination of this application:-
M1135/1a and M1135/2a

5. This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

6. Condition 6 refers to public open space. In accordance with the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide public open space should be provided either on site, or a contribution made towards off-site provision. In this instance a contribution of £1, 250.80 per dwelling is required towards the provision of off-site public open space. This can be provided by a one off payment or secured by the completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

7. The applicants attention is drawn to the attached report of Network Rail dated 22 October 2008.

T. M Prowse

Date:- 26 November 2008

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL