

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Grove Homes Midlands (LTD)
Grove House
Grove Road
Burbage
Hinckley
Leicestershire
LE10 2AE

Name and Address of Agent (if any)

Mr Shane Davies
Tim Adams Architects Limited
Westwood Studios
59 Bitteswell Road
Lutterworth
LE17 4EP

Part I - Particulars of Application

Date of Application

18 June 2024

Application No.

24/00601/FUL

Particulars and location of development :

Erection of five new dwellings to the rear of Grove House, Grove Road, Burbage, Leicestershire (retrospective)

Grove House Grove Road Burbage Hinckley Leicestershire

Part II - Particulars of decision

In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

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.

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, as follows:

Site Location Plan Drg. 198-TAA-XX-ZZ-DR-A-0001-P01 received 19.06.2024

Proposed Site Plan Drg No. 198-TAA-XX-ZZ-DR-A-1000-P08 received 10.10.2024

Plot 1 Floor Plans Drg No. 198-TAA-XX-ZZ-DR-A-1100-P09

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

Plot 1 Elevations Drg. No. 198-TAA-XX-ZZ-DR-A-1101-P08 received 14.10.2024

Plot 2 Floor Plans Drg No. 198-TAA-XX-ZZ-DR-A-1200 P07

Plot 2 Elevations Drg No. 198-TAA-XX-ZZ-DR-A-1201-P07

Plot 2 Garage Plans, Elevations Drg No. 198-TAA-XX-ZZ-DR-A-1202-P05

Plot 3 Ground, First Floor Plans Drg No. 198-TAA-XX-ZZ-DR-A-1300-P07

Plot 3 Roof Plan Drg No. 198-TAA-XX-ZZ-DR-A-1301-P06

Plot 3 Elevations Drg No. 198-TAA-XX-ZZ-DR-A-1302-P06

Plot 4 Floor Plans Drg No. 198-TAA-XX-ZZ-DR-A-1400-P07

Plot 4 Elevations Drg No. 198-TAA-XX-ZZ-DR-A-1401-P06

Plot 5 Ground Floor Plans Drg No. 198-TAA-XX-ZZ-DR-A-1500-P05

Proposed Plot 5 First Floor Plans Drg No. 198-TAA-XX-ZZ-DR-A-1501-P06

Plot 5 Second Floor Drg No. 198-TAA-XX-ZZ-DR-A-1502-P05

Plot 5 Roof Plan Drg No. 198-TAA-XX-ZZ-DR-A-1503-P04

Plot 5 Front, Rear Elevations Drg No. 198-TAA-XX-ZZ-DR-A-1510-P05

Plot 5 Side Elevations Drg No. 198-TAA-XX-ZZ-DR-A-1511-P04 all received 10.10.2024

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

3. No part of the development hereby permitted shall be occupied until such time as the access arrangements, parking and turning as shown on 'Proposed Site Plan', drawing number 198-TAA-XX-ZZ-DR-A-1000-P08 have been implemented in full. Once provided, they shall be maintained and made available for use in perpetuity.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner and 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 and to enable vehicles to enter and leave the site in a forward direction in the interests of general highway safety and in accordance with the National Planning Policy Framework (December 2023).

4. No development shall take place until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted to and approved in writing to 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 ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme, in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

5. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order) no gates, barriers, bollards, chains, or other such obstructions shall be erected to the vehicular access within a distance of 5 metres of the highway boundary.

Reason: To allow vehicles to stand clear of the highway in the interests of highway safety to accord with Policies DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document.

6. No development above foundation level of the dwelling hereby permitted shall take place until representative samples of the types and colours of materials to be used on the external elevations of the dwellings have been 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).

7. The window situated within the 1st floor landing window in the front elevation of Plot 2, the 1st floor ensuite window in the rear elevation of Plot 1 and the ensuite and bedroom windows within the first floor and 2nd floor of the south west facing side elevation of plot 5 shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable prior to first occupation of each plot. Once so provided the windows shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

8. Within 3 months of the date of this decision surface water drainage details, incorporating sustainable drainage principles (SuDS) shall be submitted to and approved in writing by the local planning authority and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed and any dwelling is occupied.

Reason: To ensure that the development is provided with satisfactory surface water drainage and does not create or exacerbate flooding in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. Prior to the commencement of any development in accordance with this permission a Construction Environmental Management Plan shall be submitted to and agreed in writing by the local planning authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The CEMP shall be submitted to the Local Planning Authority within 28 days of this decision. The agreed details shall be implemented throughout the course of the development.

Reason: To protect the amenity of the occupiers of neighbouring dwellings in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. Prior to the first occupation of any dwelling on the site full details of both hard and soft landscape works shall be 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) Means of enclosure
 - b) Hard surfacing materials
 - c) Planting plans
 - d) Written specifications
 - e) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
 - f) Implementation programme.

Soft landscaping/planting details shall be in accordance with the approved BNG details.

Reason: To enhance the appearance of the development, to protect the privacy and amenity of the future occupiers of the dwellings hereby permitted and the occupiers of neighbouring properties and to ensure that the works are carried out in a reasonable period of time to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. Prior to first occupation of any dwelling on the site a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:
 - A. details of BNG % gain
 - B. description and evaluation of the features to be created/enhanced
 - C. aims and objectives of management
 - D. appropriate management options for achieving aims and objectives
 - E. prescriptions for management actions
 - F. work schedule
 - G. species/seed mixes to be planted/sown
 - H. ongoing monitoring and remedial measures.

The approved plan will be implemented in accordance with the approved details.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site in accordance with Policy DM6 of the adopted Site Allocations and Development Management

12. Prior to the commencement of any development in accordance with this permission, an updated Tree Survey (reflecting the current trees on site) and a Tree Protection Plan prepared by a suitably qualified arboriculturist shall be submitted to and approved in writing by the local planning authority. The Tree Survey and Tree Protection Plan shall be submitted to the Local Planning Authority within 28 days of this decision. The development shall then be carried out in strict accordance with the approved details.

Reason: To ensure the existing trees to be retained and their root systems are adequately protected during construction in the interests of conserving the visual amenity of the area and biodiversity of the site to accord with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 136 of the National Planning Policy Framework (2023).

13. Before first occupation of any of the dwellings hereby permitted, the access drives, parking spaces and turning areas shall be surfaced with tarmacadam or similar hard bound material (not loose aggregate) for a distance of at least 5 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).

14. Prior to first occupation of any dwelling details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details.

Reason: To help prevent and control light pollution in accordance with Policy DM6 & DM7 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2023).

15. Within 3 months of the date of this decision a scheme for the installation of electric vehicle charging points will be submitted to and approved in writing by the local planning authority. The scheme shall identify the number of units to benefit from electric charging points, together with full detail of the location and fitting of the units. Thereafter the charging points shall be installed in accordance with the approved details prior to the first occupation of the dwelling to which they relate and they shall then be retained and maintained in perpetuity.

Reason: To ensure that the proposals meet the requirements of Policy DM10 (g) of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 112 (e) of the National Planning Policy Framework (2023)

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by (Amendment) (No.2) (England) Order 2008 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1; Classes A to E; shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

Reason: To safeguard the privacy and amenity of the neighbouring ad future residents in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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. 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.

3. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
4. The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
5. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
6. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
7. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
8. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.
9. No trees or shrubs should be planted within 1 metre of the edge of the Public Right of Way. Any trees or shrubs planted alongside a Public Right of Way should be of a non-invasive species.
10. 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 discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
11. 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).



Christopher Brown MRTPI
Head of Planning

Date : 22 October 2024

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months (see para 2a below) of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/appeal-planning-decision>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that the permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to the directions given under the order. He does not in practice refuse to entertain appeals solely because the decision by the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 5th September 2003 must be made within six months of the date of this notice.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice>.
5. If permission to develop land is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. This permission covers only consent under the Town and Country Planning Acts and does not give permission to demolish a Listed Building, for which separate consent is required. Amongst other things the consent of the Council of the district in which the land is situated may be required under the Building Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences or hedges) the separate consent of the Highway Authority may also be required. Steps to obtain the necessary further consents should be taken before proceeding with the development.

SHOPS, OFFICES, FACTORIES, EDUCATIONAL BUILDINGS & BUILDINGS TO WHICH THE PUBLIC ARE TO BE ADMITTED : ACCESS AND PROVISION FOR THE DISABLED PERSONS

- 1 The Local Planning Authority is required to bring to your attention the requirements of the Disabled Persons 1981, Building Regulations 1991 "Access and facilities for Disabled People" document M and the Chronically Sick & Disabled Act 1970 (as amended 1976) (Sections 4.7.8 and 8A) requiring the provision of access facilities, car parking and toilets for the disabled and the provision of signing indicating what provision has been made for disabled persons within the building. Your attention is also drawn to the Code of Practice B.S 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, B.S. 5810 : 1979, "Access for the Disabled to buildings" available from the British Standards Institution, 2 Park Street, London W1A 2BS. (Tel 071-629-9000) and (in so far as educational buildings are concerned), to Design Note 18 "Access for the Physically Disabled to Educational Buildings."
- 2 The buildings to which these requirements apply are :-
 - a) Buildings to which the public are to be admitted to which Section 4 of the Chronically Sick & Disabled Act 1970 (as amended 1976) applies.
 - b) Offices, Shops & Railway Premises as defined in the Offices, Shops & Railway Premises Act 1963 or premises deemed to fall within the Act.
 - c) Factories as defined by Section 175 of the Factories Act 1961.
Educational Buildings as defined by Section 29B of the Disabled Persons Act 1981.

PPNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

Start Notice

Important Information – Please keep this with your decision notice

Please read the above decision notice carefully and ensure that you understand and comply with the requirements of any planning conditions imposed.

If you require any further information about why a particular planning condition has been imposed or in respect of what information is needed to discharge your condition please contact the case officer who will be happy to advise of the requirements and information required.

We carry out a programme of site monitoring to check compliance with conditions in order to proactively manage the development and to ensure development is carried out in accordance with the planning permission granted.

Please ensure that any application for the discharge of pre-commencement conditions are carried out in a timely manner as this may take up to 8 weeks depending on the requirements of the condition. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple planning conditions. The fee for discharging these pre-commencement conditions, can be found on the [planning portal](#).

We would be grateful if you could email the development address and application reference number with your contact details and the intended start date by email to planning@hinckley-bosworth.gov.uk or complete the form on the reverse.

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk



Hinckley & Bosworth
Borough Council

Development Details

Planning application ref:	24/00601/FUL
Proposal:	Erection of five new dwellings to the rear of Grove House, Grove Road, Burbage, Leicestershire (retrospective)
Site Location:	Grove House Grove Road Burbage Hinckley Leicestershire

Date when work is intended to start:	
Have all pre-commencement conditions been discharged?	
Signed:	Print Name:

Your contact details (or attach letterhead/business card):

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk