Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Harmail Singh
27 Knighton Grange Road
Oadby
Leicester

Name and Address of Agent (if any)
Farrell Bass Prichard
14 Linden Square
Harefield
Middlesex
UB9 6TQ

Part I - Particulars of Application

Date of Application	**Application No.**
17.12.03	03/01464/FUL

Particulars and location of development :

ERECTION OF 19 RESIDENTIAL UNITS AND 2 WORKSHOPS WITH ASSOCIATED ACCESS AND SERVICING

Richard Roberts 61 Druid Street Hinckley Leicestershire LE10 1QG

Part II - Particulars of decision

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1, BE7, RES5, NE17, T9, T10, NE12, NE14, T5 and BE26 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

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 within five years from the date of this permission

2. This permission relates to the application as revised by amended plan 2038B/P/02A received on 9th February 2004 and amended plans 2038B/P/03A, 2038B/P/06A and 2038B/P/10B recevied on 13th February 2004 by the Local Planning Authority.

3. Before any development commences, representative samples of the types and colours of all materials to be used on the external elevations of the residential units, bin and cycle stores, including details of fenestration treatments and rain water goods, shall be deposited with and approved in writing by the Local Planning Authority.

4. The insertion of all rooflights shall be of a 'conservation style' and shall not protrude above the plane of the roof slope. All windows and doors shall be recessed as agreed in writing with the Local Planning Authority, and no additional breaches other than those depicted on the approved plans to the external fabric of the buildings, including extraction ducts, vents and flues, shall be implemented without the prior written consent of the Local Planning Authority.

5. No development shall commence on site until such time as the existing and proposed ground levels and proposed finished floor levels have been submitted to and agreed in writing by the Local Planning Authority. The finished floor levels shall then be implemented in accordance with the approved details.

6. A contaminated land survey shall be carried out and a scheme of any proposed remedial works shall be submitted to and agreed in writing with the Local Planning Authority, and implemented in accordance with the approved scheme before development commences.

7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no development falling within Classes A-E, Part 1 and Classes A-B, Part 2 of Schedule 2, Article 3 of the Order shall be carried out before planning permission for such development has first been granted by the Local Planning Authority.

8. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995, the ground floor workshops as depicted on the approved plans shall be used solely for the purposes of Class B1(a).

9. The ground floor workshops, hereby approved, shall only be open or operate between the hours of 08:00 to 17:00 Monday to Friday and 09:00 to 13:00 on Saturday and shall not open or operate on Sundays or Bank/Public Holidays.

10. Before the occupation of the first residential unit, full details of the secure and covered cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority and be installed and ready for use and thereafter permanently maintained for such purpose.

11. Before development commences, comprehensive details of noise attenuation measures between the proposed residential units and proposed and existing non-residential uses within Block A as depicted on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority.

12. Before development commences, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority and shall indicate the treatment proposed for all ground surfaces as well as the disposition of all proposed trees, bushes and shrubs and all boundary details, including all railings, gates, walls and fences. These details shall also include the following: species of tree, canopy and trunk diameter, height, general state of health, proposed lopping or topping works to any retained tree, and any proposed alterations in existing ground levels within the crown spread of any retained tree within and adjoining the site, unless otherwise agreed in writing with the Local Planning Authority.

13. The approved landscaping scheme shall be carried out during the first appropriate planting season following the date when the proposed residential units are ready for occupation. The scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced in the next planting season with others of such size and species as agreed with the Local Planning Authority by the applicant or owner of the land at the time, unless the Local Planning Authority gives written consent to any variation.

14. Prior to the occupation of the first residential unit, full details of security lighting and other forms of external illumination shall be submitted to and approved in writing by the Local Planning Authority. The scheme of illumination shall be implemented in accordance with the approved details.

15. The development, hereby permitted, shall not commence until drainage works for the disposal of surface water have been carried out in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

16. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstanding shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

17. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, the garages and parking spaces hereby approved shall be made available for the parking of vehicles at all times in the future.

18. Before the occupation of the first residential unit 2.0 metre x 2.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access.

19. Any proposed vehicular access gates shall be set back a minimum distance of 7 metres from the highway boundary and shall be made to open inwards only unless otherwise agreed in writing with the Local Planning Authority.

20. The access shall be surfaced in tarmacadam or similar bound materials for the first 7 metres behind the highway boundary before the residential unit is first occupied.

21. 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 adjoining carriageway.

22. Any garage door shall be set back a minimum of 5.0 metres behind the highway boundary if 'sliding', 'roller shutter' or inward opening doors are fitted, 5.6 metres if 'up and over' type doors are fitted or 6.0 metres if outward opening hinged doors are fitted.

23. Before the first residential unit is occupied, drainage shall be provided within the site such that surface water does not drain into the public highway.

24. Notwithstanding the details submitted, the two House Type B units with integral garages shall have minimum garage door widths of 2.2 metres.

25. Any gates to the pedestrian access on to Druid Street shall be installed so as to open inwardly only.

26. Notwithstanding the plans submitted, full details of the design and siting of all bin stores within the site shall be submitted to and approved in writing by the Local Planning Authority.

27. Before development commences and any works begin on site, a working practice schedule associated with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. This schedule should include full details of wheel cleansing facilities with locations, details of timescales, hours of operation, noise and dust levels with associated mitigation measures, lorry movements, and supervision procedures. These facilities and associated measures shall then be implemented in accordance with the approved details and shall be provided and fully operational at the site at all times during the construction work.

The reasons for the conditions are :-

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

2. To define the permission.

3. To ensure that the development has a satisfactory external appearance to accord with policy BE1, BE7 and RES5 of the adopted Hinckley & Bosworth Local Plan.

4. To ensure that the development has a satisfactory external appearance to accord with policy BE1, BE7 and RES5 of the adopted Hinckley & Bosworth Local Plan.

5. For the avoidance of doubt and to safeguard amenities of neighbouring properties to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

6. To ensure the site is safe and suitable for residential development to accord with policy NE17 of the adoptedHinckley and Bosworth Local Plan.

7. To protect the character and appearance of the proposed buildings and to safeguard amenities of neighbouring properties to accord with policies BE1 and BE7 of the adopted Hinckley & Bosworth Local Plan.

8. For the avoidance of doubt and to ensure that the use remains compatible with the surrounding area to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

9. For the avoidance of doubt and to ensure that the use remains compatible with the surrounding area to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

10. To ensure adequate facilities are provided for cyclists to accord with policies T9 and T10 of the adopted Hinckley and Bosworth Local Plan.

11. To safeguard amenities of neighbouring properties and to ensure that the proposed and existing uses does not become a source of annoyance to nearby residents to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

12. To enhance the appearance of the development to accord with policy BE1 and NE12 of the adopted Hinckley & Bosworth Local Plan.

13. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy NE12 of the adopted Hinckley & Bosworth Local Plan.

14. To provide sufficient security measures as well as preventing unnecessary light pollution to accord with policies BE1, BE7 and BE26 of the adopted Hinckley and Bosworth Local Plan.

15. The proposal involves the redevelopment of an existing site draining to a public sewerage system which has no available capacity and additional flows would create or exacerbate a flooding problem.

16. To avoid water pollution.

17. To ensure that adequate off-street parking facilities are available to accord with policy BE1 and T5 of the adopted Hinckley & Bosworth Local Plan.

18. To ensure that an adequate line of vision is available in the interests of road safety to accord with policy BE1 and T5 of the Hinckley and Bosworth Local Plan.

19. To enable a vehicle to stand clear of the highway whilst the gates are opened.

20. In the interests of road safety to accord with policy T5 of the Hinckley & Bosworth Local Plan.

21. To ensure that an adequate line of vision is available in the interests of road safety to accord with policy BE1 and T5 of the Hinckley and Bosworth Local Plan.

22. To enable a vehicle to stand clear of the highway whilst the gates are opened.

23. In the interests of road safety to accord with policy T5 of the Hinckley & Bosworth Local Plan.

24. To ensure adequate width exists to utilise the garages for the parking of vehicles to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan.

25. In the interests of road safety to accord with policy T5 of the Hinckley & Bosworth Local Plan.

26. To ensure the bins stores have a satisfactory external appearance and to safeguard amenities of neighbouring properties to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

27. To enable the Local Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area to accord with policies BE1 and T5 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.

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4. 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.

5. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Western Divisional Surveyor (tel: 01530 414151).

6. The applicant's attention is drawn to the Environment Agency's and Leicestershire Constabulary Architectural Liaison Officer's comments attached to this decision notice.

7. The applicants attention is drawn to the attached Notice of Development of Contaminated Land

Middlefield Lane Dept. Brief. —

Desk top: Contamination Report.

Highways, — TA ?

Sections / ~~[illegible]~~ Indicative Street scenes.
- need to be informed by the wider built fabric of the Druid 1/4.
- Heights of buildings.
- Flood Risk Assessment? — Check with EA: Geoff Platts. 01158463622.

Affordable Housing — 20% (90%/10%) rent shared ownership.

Open Space.

Education / Civic Amenity etc. Libraries. — Chris Noakes.

- maybe others which might be informed by consultations.