HINCKLEY & BOSWORTH BOROUGH COUNCIL

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
RPN Underwood & Son Limited
51/57 East Bond Street
Leicester
LE1 4SX

Name and Address of Agent (if any)
Frederic Chadburn
137 Forest Road
Coalville
Leicestershire
LE67 3SP

Part I - Particulars of Application

Date of Application	**Application No.**
6 August 2007	07/00940/FUL

Particulars and location of development:

ERECTION OF 13 DWELLINGS WITH ASSOCIATED PARKING AND ACCESS

The Rectory 57 Main Street Newbold Verdon Leicester Leicestershire

Part II - Particulars of decision

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1, BE5, BE7, BE14, RES5, NE2, NE12, T5, IMP1and REC3 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 before the expiration of three years from the date of this permission.

2. This permission relates to the application as revised by amended plan Nos. FC:3208:A, FC:3207:A, FC:3206:A, FC:3174:D, FC:3175:C, FC:3176:D, FC:3198:B, FC:3199:B, FC:3177:D, FC:3178:E, FC:3179:C, FC:3180:C, FC:3181:B, FC:3200:B, FC:3201:B, FC:3205 received by the Local Planning Authority on 19th December 2007.

3. Notwithstanding the submitted details, before development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings, garages and carports shall be deposited with and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with those approved materials.

4. Before any development commences, representative samples of the types and colours of materials to be used on the access drive, and in the hard landscaped courtyard, parking courts and turning areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

5. Before development commences, full details of the window style, reveal, cill, and header treatment shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

6. 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 1; Classes A to F inclusive shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

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7. The applicant, or their agents or successors in title, must secure the implementation of a programme of archaeological work, comprising the production of an appropriate report and deposition of the project archive. This should be completed in accordance with the agreed scheme of work that has been approved on behalf of the planning authority.

8. No development shall commence on site until details of the method of disposal of surface and foul water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

9. A public surface water sewer crosses the site and shall not be built over or nearer to than 2.5 metres, unless otherwise agreed in writing with the Local Planning Authority.

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

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 and thereafter shall be so maintained.

12. The car parking spaces and turning areas indicated on the approved plan shall be provided before first occupation of the dwellings hereby permitted and retained for such use at all times thereafter.

13. The existing vehicular access shall be closed permanently within one week of the new access being brought into use and the existing vehicular crossings reinstated to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.

14. 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 7 metres behind the highway boundary and shall be hung so as to open inwards only.

15. Before first occupation of the dwellings hereby permitted, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above ground level and shall be so maintained in perpetuity, where in the control of the applicant.

16. Notwithstanding the submitted details, before first occupation of any of the dwellings hereby permitted, visibility splays of 2.4 metres by 70 metres shall be provided at the junction of the access with Main Street. These shall be in accordance with the standards contained in the current County Council design guide and shall be so maintained in perpetuity. Nothing shall be allowed to grow above a height of 0.9 metres above ground level within the visibility splays.

17. The approved soft landscaping scheme shall be carried out in accordance with the approved details and maintained for a period of five years from the date of planting. During this period any trees or shrubs that die or are damaged, removed or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted unless otherwise agreed in writing by the Local Planning Authority.

18. Before any development is commenced on site, including site works of any description, each of the trees (indicated by number on the attached plan) shall be securely fenced off by protective fencing on a scaffolding framework in accordance with B.S. 5837 erected in a circle round each tree at a radius from the bole of 3 metres or to coincide with the extremity of the canopy of the tree, whichever is the greater. Within the areas so fenced off, the existing ground level shall be neither raised nor lowered, (except as may be approved by the Local Planning Authority as part of the development) and no materials, equipment, machinery or temporary buildings or surplus soil shall be placed or stored thereon. If any trenches for services are required in the fenced off areas, they shall be excavated by and back-filled by hand and any tree roots encountered with a diameter of 5 centimetres or more shall be left un-severed.

19. For the period of construction of the development within the site, vehicle parking facilities shall be provided within the site and all vehicles associated with the development shall be parked within the site.

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20. For the period of construction of the development vehicle wheel cleansing facilities shall be provided within the site and all vehicles exiting the site shall have all tyres and wheels cleaned before entering the highway.

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

6. To safeguard the amenities of neighbouring properties and in the interests of visual amenity to accord with policies BE1 and BE7 of the adopted Hinckley and Bosworth Local Plan.

7. To ensure the submission of a report and the satisfactory deposition of the archive in accordance with BE14 of the adopted Hinckley and Bosworth Local Plan.

8. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy NE2 of the adopted Hinckley and Bosworth Local Plan.

9. To maintain essential access for maintenance, repair and renewal and to protect the structural integrity of the public sewerage system to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

10. To prevent pollution of the water environment to accord with Policy NE2 of the adopted Hinckley and Bosworth Local Plan.

11. To reduce the possibility of surface water from the site being deposited in the highway causing danger to road users to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

12. To ensure that adequate parking and turning facilities are available to serve the development and to ensure that vehicles may enter and leave the site in a forward direction to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

13. To reduce the number of vehicular accesses to the site and consequently reduce the number of potential conflict points to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

14. To enable a vehicle to stand clear of the highway whilst the gates are opened to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

15. In the interests of pedestrian safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

16. To afford adequate visibility at the junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safe to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

17. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

18. To ensure that the existing trees on site are retained and protected and in the interests of visual amenity to accord with policy BE1 and BE5 of the adopted Hinckley and Bosworth Local Plan.

19. To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems in the area during construction to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

20. To reduce the possibility of deleterious material (mud, loose stones etc) being deposited in the highway causing danger for road users to accord with Policies BE1 and T5 of the adopted Hinckley and Bosworth Local Plan.

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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. In relation to Condition 3, given that this important site is within the setting of a Listed Building and within the Newbold Verdon Conservation Area, the Local Planning Authority will expect natural materials to be used on the external elevations of the approved development.

4. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (01530 287202).

5. The applicant's attention is drawn to the presence of a surface water sewer that crosses the north-east corner of the site which must not be built over. The developer is advised to contact Severn Trent Water Limited for further details.

6. The applicant's attention is drawn to the contents of the attached reports provided by the Leicestershire County Council in relation to the adjacent public footpath that borders the site and Severn Trent water Limited in relation to the public surface water sewer.

7. The applicant is reminded that any works to or removal of trees protected by the Tree Preservation Order covering the site will require separate consent.

8. The applicant is advised that any future application to further increase the number of dwellings on the site is unlikely to be considered favourably by the Local Planning Authority as it is considered that this is likely to have a detrimental impact on the adjacent Listed Building and its setting within the Newbold Verdon Conservation Area.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 1st February 2008