Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Mrs K Murrell
10 Landseer Drive
Hinckley
Leicester
LE10 0GF

Name and Address of Agent (if any)
Emery Architectural Design Limited
Greenacres
South Kilworth Road
North Kilworth
Leicestershire
LE17 6HE

Part I - Particulars of Application

Date of Application	**Application No.**
21 November 2008	08/01106/FUL

Particulars and location of development :

ERECTION OF 1NO DWELLING

156 Queens Road Hinckley Leicestershire LE10 1EE

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 and would not be to the material detriment of the amenities experienced by adjacent occupiers, highway safety or the character of the surrounding area.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 and SPG on New Residential Development

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 2008/11-6 received by the Local Planning Authority on 19 January 2009.

3. 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.

4. No development shall commence on the construction of the dwelling hereby permitted until the new vehicular access to Southfield Road has been laid out in accordance with the detail on plan ref: 2008-11-5 received by the local planning authority on 19 January 2009, and made available for use. The vehicular access shall be maintained thereafter.

IMPORTANT – PLEASE REFER TO THE NOTES AT THE END OF THIS DOCUMENT

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5. Before the first occupation of the dwelling hereby permitted the vehicle turntable shall be installed and made available to allow vehicles to turn within the site. The turntable shall be maintained thereafter in full working order to allow vehicles to turn within the site.

6. Before the first occupation of the dwelling hereby permitted the off street car parking areas as shown on the approved plan shall be laid out and made available for use thereafter for the parking of vehicles.

7. Before first occupation of the dwelling 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.

8. No gates shall be erected to the vehicular access.

9. Before any development commences, representative samples of the types and colours of materials to be used on the surfacing of the access, turning and parking areas 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.

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

    (i) proposed finished levels or contours
    (ii) means of enclosure, including details of boundary treatments to the site boundary and amenity space
    (iii) planting plans
    (iv) written specifications
    (v) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
    (vi) implementation programme.

11. The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping 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 by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 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, B, C, D, E shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

13. 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.

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 of the adopted Hinckley & Bosworth Local Plan.

4. To ensure that adequate car parking and servicing facilities will be available to serve the premises when they are brought into use, in accordance with the requirements of Policy T5 of the Adopted Hinckley and Bosworth Local Plan.

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

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

9. To ensure that the development has a satisfactory external appearance to accord with policies BE1 and T5 of the adopted Hinckley & Bosworth Local Plan.

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

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

12. To safeguard amenities of neighbouring properties to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

13. To ensure the adequate provision of public play and open space within the vicinity of the site to accord with policy REC3 of the adopted Hinckley and Bosworth Local Plan and the Council's Play and Open Space Guide.

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. 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 (0116 3052202).

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. List of plans used in the determination of this application:- Site Location Plan, 2008-11-6, 2008-11-5.

7. 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 - (telephone 0116 3052202.)

8. In relation to condition 14, the total contribution required would be £1078.90p.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 21 January 2009