

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015

PRIOR APPROVAL GRANTED

Name and Address of Applicant

Mr Nicholas Hart
5 Turnpike Way
Markfield
Leicestershire
LE67 9QT

Name and Address of Agent (if any)

Mr Mark Geraghty
HSSP Architects Limited
Pera Business Park
Nottingham Road
Melton Mowbray
Leicestershire
LE13 0PB

Part I - Particulars of Application

Date of Notification

18 November 2024

Reference No.

24/01048/P3CQ

Particulars and location of development:

Notification to determine if Prior Approval is required for the change of use of an agricultural buildings to a dwellinghouses (Class C3)

Land South of Retreat Farm, Whittington Lane, Thornton, Leicestershire

Information that the developer provided to the local planning authority:

- Application Form (submitted: 18.11.2024)
- Design and Access Statement (submitted: 18.11.2024)
- Structural Survey (submitted: 18.11.2024)
- Phase I Site Appraisal (submitted: 18.11.2024)
- Preliminary Ecological Appraisal (submitted: 18.11.2024)
- Topographical, Internal and Elevation Survey (submitted: 18.11.2024)
- Location Plan 9205-01-01 Rev C (submitted: 23.04.2025)
- Proposed Site Plan 9205-03-01 Rev E (submitted: 23.04.2025)
- Proposed Floor Plan 9205-03-02 (submitted: 18.11.2024)
- Proposed Elevations 9205-03-03 Rev A (submitted: 22.01.2025)
- Proposed Site Access Plans 9205- 03-04 (submitted: 25.04.2025)

Part II - Particulars of decision

I write further to your recent application under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for prior approval with respect to the above proposal.

It is hereby confirmed that the Council's **prior approval is required and granted**, subject to the following planning conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Location Plan 9205-01-01 Rev C (submitted: 23.04.2025)
 - Proposed Site Plan 9205-03-01 Rev E (submitted: 23.04.2025)
 - Proposed Floor Plan 9205-03-02 (submitted: 18.11.2024)
 - Proposed Elevations 9205-03-03 Rev A (submitted: 22.01.2025)
 - Proposed Site Access Plans 9205- 03-04 (submitted: 25.04.2025)

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

2. No development approved by this permission shall be commenced until a Phase II ground investigation has been carried out and the results of this have been submitted in writing to and agreed in writing by the Local Planning Authority. The Phase II ground investigation should accord with the recommendations of the Phase I Desk Study by GRM submitted with this application. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the first dwelling being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Upon completion of the remediation works a verification report shall be submitted to and approved by the Local Planning Authority. The verification report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing titled 'Proposed Site Access Plans,' drawing number 9205- 03-04, have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016 and the National Planning Policy Framework (2024).

6. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. 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 vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 15 metres of the highway boundary.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016 and the National Planning Policy Framework (2024).

7. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose

aggregate) for a distance of at least 15 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) 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 and the National Planning Policy Framework (2024).

IT IS IMPORTANT THAT YOU READ AND UNDERSTAND THE FOLLOWING INFORMANTIVES:

NOTES TO APPLICANT:

1. 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.
2. The surface water drainage system for the proposed development should incorporate sustainable drainage principles (SuDS) to mitigate the risk of flooding on the site, and ensure that surface water runoff does not increase flood risk elsewhere. The proposals should also include measures to address issues of water quality in accordance with current SuDS guidance. The proposed outfall for the discharge of surface water runoff from the development should be in accordance with the hierarchical approach outlined in Building Regulations Part H. The use of infiltration drainage is preferred, subject to the site being free from a contaminated ground legacy. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. 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.
3. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
4. The collection point for domestic refuse and recycling waste is from the adopted highway boundary. HBBC cannot travel along or collect from private driveways using our RCV, therefore it would be advisable to include an area next to the adopted highway for safe placement of the various containers on collection day.
5. All other conditions under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) must be adhered to in order for the development to be lawful.

C. Brown.

Christopher Brown MRTPI
Planning Manager (Development Management)

Date : 20 May 2025