

# Hinckley & Bosworth Borough Council

## Town and Country Planning Act 1990

### Approval of Reserved Matters

**Name and Address of Applicant**

Ms Esther Wiles  
Persimmon Homes North Midlands  
Davidson House  
Meridian East  
Leicester  
Leicestershire  
LE19 1WZ

**Name and Address of Agent (if any)****Part I - Particulars of Application**

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**Date of Application**

10 September 2024

**Application No.**

24/00854/REM

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**Particulars and location of development :**

Application for Reserved Matters (site layout, scale, appearance, and landscaping) of outline planning application 22/00277/OUT for 239 dwellings with associated internal road layout, car parking, drainage, and landscaping.

**Land East Of The Windmill Inn Brascote Lane Newbold Verdon Leicestershire**

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**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).

**The Hinckley and Bosworth Borough Council grants approval in respect of the details referred to in Part I hereof for the purpose of the conditions imposed on the grant of outline planning permission and subject to the following condition(s) :-**

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application drawings within the Drawing Schedule received 13/03/2025.

**IMPORTANT – PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT**

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).

2. No development shall commence above floor plate level, until a scheme of soft landscaping works for the site, including and implementation scheme, has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall be in general accordance with the approved Hard and Soft Landscape Plan - POS, Drawing No. BG24-292-BRGR-ZZ-ZZ-DR-L-00012 Rev 3.

Thereafter the development shall be carried out in full accordance with the approved landscaping scheme. 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.

Reason: To ensure that the development has a satisfactory appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwellings or the provision of buildings etc. incidental to the enjoyment of the dwellinghouses shall be carried out to/on any Plots other than Plots 5, 12, 17, 18, 51, 52, 97, 98, 109, 116, 117, 120, 126, 127, 129, 130, 131, 140, 155, 174, 175, 183, 184, 207, 209, 226, 227, 234 unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To protect the character of the surrounding area and to safeguard the amenity of dwellings and to ensure that an acceptable level of private amenity space is retained, in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 139 of the NPPF (2024).

4. No development shall commence above floor plate level, until full details of the substation and pumping station, including brick and roof tile materials to match the proposed dwellings, have been submitted in writing to and approved in writing by the local planning authority. Thereafter the development shall be implemented and maintained in accordance with the approved details.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with General Arrangement, drawing number 23042-015-Rev E. Thereafter the onsite parking provision shall be maintained in perpetuity.

Reason: 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 highway safety and in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

6. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with the Leicestershire Highway Design Guide. The private access drives should 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 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).

7. The development hereby permitted shall not be occupied until such time as 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive serving each plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.

Reason: In the interests of pedestrian 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).

8. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2024).

9. 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.

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 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).

10. No development shall commence until full details of the equipment (including seating, bins, and country park signage), boundary treatments and hard surfacing in the public open space have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented and maintained in accordance with the approved details.

Reason: To ensure that the development has a satisfactory external appearance and provides satisfactory green space and play provision in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy 19 of the Core Strategy (2009).

11. Prior to commencement of development, full details of a scheme for the location of bat roosting and bird nesting features to be integrated into buildings and suitable hedgehog gaps in boundary features shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of any dwelling hereby permitted features shall be installed on the site in accordance with the approved details. Photographs of the integrated bird and bat boxes and hedgehog gaps within the new dwellings should be provided in order to fully discharge this condition.

Reason: To ensure that the development has no harmful impact on protected species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. The development hereby approved shall be implemented in strict accordance with the Biodiversity Net Gain Plan (Brindle & Green, September 2024) unless otherwise agreed in writing by the LPA. As per Section 6.2 monitoring reports should be submitted to the LPA for approval in years 2, 3, 4, 5, 10, 15, 25 and 30 following the habitat creation and initial enhancement works. The monitoring reports should detail the monitoring results, and any remedial actions required.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

#### NOTES TO APPLICANT :-

1. The conditions imposed on outline planning permission ref: 22/00277/OUT shall also be complied with.
2. This decision is also conditional upon the terms of the planning agreement which has been entered into by the developer and the Council under Section 106 of the Town and Country Planning Act 1990 (as amended). The Agreement runs with the land and not to any particular person having an interest therein.
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](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.
4. Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, all removal of trees/shrubs/hedges should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
5. Any highway that is not to be adopted by the Local Highway Authority should, as a minimum, be constructed to adoptable standards.
6. 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.

7. The proposed road layout does not conform to an acceptable standard for adoption and therefore it will not be considered for adoption and future maintenance by the Local Highway Authority. The Local Highway Authority will, however, serve Advance Payment Codes in respect of all plots served by (all) the private road(s) within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please note that the Highway Authority has standards for private roads which will need to be complied with to ensure that the Advanced Payment Code may be exempted and the monies returned. Failure to comply with these standards will mean that monies cannot be refunded. For further details please email [road.adoptions@leics.gov.uk](mailto:road.adoptions@leics.gov.uk). Signs should be erected within the site at the access advising people that the road is a private road with no highway rights over it.
8. To erect temporary directional signage, you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

Date:- 19 March 2025



Christopher Brown MRTPI  
**Head of Planning**

## 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 he 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 month (see para 2a below)** of the date of this notice. (Appeals must be made on a form which is available 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/planning-inspectorate>). 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, 5<sup>th</sup> September 2003 must be made within **six months** of the date of this notice.
4. 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 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.
5. 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.
6. This permission only covers 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 Buildings Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences and 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 BS 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, BS 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.

### **RMNOTES (02/07/2014)**



Hinckley & Bosworth  
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## 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-commence 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](mailto: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](mailto:planning@hinckley-bosworth.gov.uk)**



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**Development Details**

<b>Planning application ref:</b>	24/00854/REM
<b>Proposal:</b>	Application for Reserved Matters (site layout, scale, appearance, and landscaping) of outline planning application 22/00277/OUT for 239 dwellings with associated internal road layout, car parking, drainage, and landscaping.
<b>Site Location:</b>	Land East Of The Windmill Inn Brascote Lane Newbold Verdon Leicestershire

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

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

<b>Name:</b>	
<b>Address:</b>	
<b>Telephone:</b>	
<b>Mobile:</b>	
<b>Email:</b>	

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