

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Discharge of Conditions

DoC Decision Notice Conditions Not Discharged

Ms Esther Wiles
Charles Church Developments Ltd
Davidson House
Meridian East
Leicester
Leicestershire
LE19 1WZ

Details of Application:

Application Ref: 24/00746/DISCON
Proposal: Application to discharge conditions 5 (Treatment of PROW and Bridleway) and 10 (Secure Cycle Parking) relating to planning application 23/01204/REM
Location: Land South Of Sketchley Grange Hotel Sketchley Lane Burbage

The details submitted have been considered by the Local Planning Authority for Condition 5 & Condition 10, OF WHICH THE OUTCOME IS **NOT DISCHARGED**.

CONDITIONS NOT DISCHARGED

Condition 5

No development above floor plate level shall take place until a scheme for the treatment of the Public Rights of Way (Footpath U64 and Bridleway U67) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of, but not limited to, the surfacing, width, depth, and landscaping of the Public Rights of Way, and their associated waymarking, and accessibility improvements.

Received 1 August 2024

C5 Public Open Space Phasing Plan

C5 POS and Existing Footpaths Surface Scheme Rev A

Reason for Non-Discharge of Condition 5

The developer has been unable to provide a Public Right of Way (PROW) and bridleway improvement scheme that is acceptable to the Local Highway Authority (LHA). This is due to constraints arising from the approved site layout, which also compromises the safety of both PROW users and those accessing the equipped play area.

The submitted details do not demonstrate a suitable or deliverable enhancement scheme that safeguards the integrity and accessibility of the existing PROW network. As such, the proposal fails to meet the requirements of Paragraph 104 of the National Planning Policy Framework (December 2023), which seeks to ensure safe and inclusive access and promote sustainable transport options.

Condition 10

The development hereby permitted shall not be occupied until such time as secure cycle parking has been provided in accordance with details first submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, the cycle parking shall be maintained and kept available for use in accordance with the approved details.

C10 Garden Shed Plan – Received 1 August 2024

Reason for Non-Discharge of Condition 10:

The Local Planning Authority (LPA) considers metal material to be inappropriate within a residential setting, as it would result in a visually intrusive and commercial appearance when placed in individual gardens. A timber structure is considered more suitable and in keeping with the character of the dwellings.

Furthermore, while the covering letter refers to the provision of garden sheds for properties without garages, no plan has been submitted to confirm their specific locations. In the absence of this information, the LPA cannot be satisfied that the proposed arrangements provide a secure and accessible form of cycle storage.

As such, the details submitted do not demonstrate compliance with the requirements of Condition 10, in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Section 9 of the National Planning Policy Framework (December 2023).



Christopher Brown MRTPI
Head of Planning

Date : 16 September 2025

Note to Applicant

A new application can be submitted once the details requested are ready in full to be submitted. A new application and fee will apply. Once received the application will be re-considered with the new supporting documentation provided.

Alternatively, If you are aggrieved by the decision of the Local Planning Authority to refuse permission, you may appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. If your appeal is against a Minor Commercial Development, we would advise you to view the guidance on the Planning Portal website under Procedure Guidance, to confirm the time frame for appealing. (Appeals must be made on a form which is obtainable 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/appeal-planning-decision>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. 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 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 any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of 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, 14 October 2004 must be made within six months of the date of this notice. If you intend to submit an appeal that you would like examined by inquiry, then you must notify your Local Planning Authority (planning@hinckleybosworth.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details can be found on GOV.UK.