

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Mr Mitesh Rathod
Jelson Limited
370 Loughborough Road
Leicester
LE4 5PR
United Kingdom

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application

22 January 2024

Application No.

24/00074/CONDIT

Particulars and location of development :

Variation to condition 1 of planning permission 23/00117/CONDIT. Revision of site layout and substitute house types.

Land Off Captains Lane / London Road Markfield Leicestershire LE67 9UY

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).

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 not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Site Location Plan - Drg No. 6675-L-10D

Layout Plans - MFD02/RP/04 Rev A, MFD02/RP/05 Rev A, MFD02/RP/06

House Type Drawings -

S304_HA AS-OP

JT203_HA AS-OP rev B Floor and Elevation plans

JS326_HA OP rev C

JS326_HA AS rev C

JS317_HA P01 AS rev C

JS110_HA AS-OP rev P01

JS203_HA AS-OP rev B

JS203 Amber AS-OP rev B

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

JS318 Heron AS-OP X rev B Floor and Elevation plans
 JD421 Kingfisher OP rev C render
 JD421 Kingfisher AS rev C render
 JD421 Kingfisher OP rev B brick
 JD421 Kingfisher AS rev A brick
 JD411 Cardinal OP rev B render
 JD411 Cardinal AS rev B render
 JD411 Cardinal OP brick
 JD411 Cardinal AS brick
 JD401 Maple OP rev A render
 JD401 Maple AS rev A render
 JD401 Maple OP rev A brick
 JD401 Maple AS rev B brick
 JD331 Redpol OP rev B render
 JD331 Redpol AS rev B render
 JD331 Redpol OP rev B brick
 JD331 Redpol AS rev B brick
 JD326 Woodcock AS
 JD319 Willowby OP rev A
 JD319 Willowby AS rev C
 JD315Y Whinchat AS render
 JD315X Whinchat AS brick
 JD313Y Redpoll AS render
 JD313X Redpoll AS brick
 JD311 Swift AS
 JD422 AS Floor and Elevation plans

Material Layout Plan rev A

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. The development shall be carried out in accordance with the C3 Phasing Plan 6675-A-18 rev C received 21/10/21 and Phasing Plan Implementation C3 received 28/1/22 approved as part of Discharge of Conditions decision reference 21/01302/DISCON.

Reason: To ensure development is carried out in a consistent and comprehensive manner to ensure a high quality scheme is developed in accordance with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the dwellings shall be in accordance with Drawing C4 Materials Layout Rev B received 11/4/22 approved through the Discharge of Condition decision reference 21/01467/DISCON and

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

4. No development shall take place within Phases 2, 3 and 4 until such time as a surface water drainage scheme for that phase has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the details and operations prior to first occupation of each phase. The surface water drainage scheme for Phase 1 shall be in accordance with the scheme approved through the Discharge of Condition decision reference 21/01302/DISCON as follows:

Received 2 February 2022

C5 FW2127-C-007 Drainage Areas Plan

C5 FW2127-C-008 Exceedance Flow Routes

C5 Long Sections Sheet 2 of 5 Drg No. FW2127-C-006-02 Rev A4

C5 FW2127-C-003-04 P1 Private Drainage Sheet 4 of 4

C5 FW2127-C-003-03 P1 Private Drainage Sheet 3 of 4

C5 FW2127-C-003-02 P1 Private Drainage Sheet 2 of 4

C5 FW2127-C-003-01 P1 Private Drainage Sheet 1 of 4

Received 21 October 2022

C5 Storm Network FW2124 S104

C5 Section 104 Layout Sheet 1 of 5 Drg No. FW2127-C-005-01 Rev A2

C5 Section 104 Layout Sheet 2 of 5 Drg No. FW2127-C-005-02 Rev A2

C5 Section 104 Layout Sheet 3 of 5 Drg No. FW2127-C-005-03 Rev A2

C5 Section 104 Layout Sheet 4 of 5 Drg No. FW2127-C-005-04 Rev A2

C5 Section 104 Layout Sheet 5 of 5 Drg No. FW2127-C-005-05 Rev A2

C5 Section 104 Layout (Overview) 5 of 5 Drg No. FW2127-C-005-06 Rev A2

C5 Long Sections Sheet 1 of 5 Drg No. FW2127-C-006-01 Rev A2

C5 Long Sections Sheet 3 of 5 Drg No. FW2127-C-006-03 Rev A2

C5 Long Sections Sheet 4 of 5 Drg No. FW2127-C-006-04 Rev A2

C5 Long Sections Sheet 5 of 5 Drg No. FW2127-C-006-05 Rev A2

C5 Adoptable Manhole Schedules Drg No. FW2127-C-006-06 Rev A2 C5 Adoptable Drainage

Construction Details Sheet 1 of 2 Drg No FW2127-C-010-01 Rev A2 C5 Adoptable Drainage

Construction Details Sheet 2 of 2 Drg No FW2127-C-010-02 Rev A1

Received 2 February 2022

C5 Long Sections Sheet 2 of 5 Drg No. FW2127-C-006-02 Rev A4

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, 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 DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

5. The development shall be carried out in accordance with the scheme for the management of surface water on site during construction - C6 managing Flood Risk During Construction received 21/10/21 as approved through the Discharge of Condition decision reference 21/01302/DISCON.

Reason: To prevent any increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

6. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. Details of the Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site. The maintenance of the surface water drainage system shall then be undertaken in accordance with these details.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

7. Following the infiltration testing carried out and the information approved - C8 Appendix B Infiltration Calculations PJSG20-15-R01 received 21/10/21 as part of the Discharge of Condition decision reference 21/01302/DISCON, the flood risk assessment (FRA) shall be updated accordingly to reflect the drainage strategy. The updated FRA and drainage strategy shall be submitted to and agreed by the Local Planning Authority. The approved details shall be implemented and completed prior to first occupation of the development.

Reason: To demonstrate that the site is suitable for the use of infiltration techniques as part of the drainage strategy to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

8. No development shall commence above damp proof course level in Phases 2, 3 and 4 until a landscape and biodiversity management plan has been submitted to and approved in writing by the Local Planning Authority. Phase 1 shall be carried out in accordance with the details - C9, C10 & C29 Landscape Management Plan Rev B received 27 July 2022 and C9 & C10 Biodiversity Management Plan received 9 December 2021 as part of the Discharge of Condition decision reference 21/01467/DISCON

Reason: To ensure the development contributes to the enhancement and management of biodiversity

of the area to accord with Policy DM6 of the Site Allocations and Development Management Policies DPD.

9. No development shall take place within Phases 2, 3 and 4 until full details of the SuDs for that phase have been submitted to and approved in writing to demonstrate how they have been designed to support wildlife habitat. The SuDs shall be completed in accordance with the agreed details by the occupation of the final dwelling in each phase. The SuDs in respect of Phase 1 shall be carried out in accordance with the details - C9, C10 & C29 Landscape Management Plan Rev B received 27 July 2022 and C9 & C10 Biodiversity Management Plan received 9 December 2021 as part of the Discharge of Condition decision reference 21/01467/DISCON

Reason: To ensure the development contributes to the enhancement and management of biodiversity of the area to accord with Policy DM6 of the Site Allocations and Development Management Policies DPD.

10. Before any development commences on each phase, including site works of any description, Tree Protection measures to form a secure construction exclusion zone and root protection area in accordance with British Standard 5837:2012 Trees in relation to design, shall be erected in accordance with the C11 Tree Protection Statement received 9/12/21 approved as part of the Discharge of Condition decision reference 21/01147/DISCON. Any trenches for services are required within the fenced-off areas, they shall be excavated and back-filled by hand and any tree roots or clumps of roots encountered with a diameter of 25cm or more shall be left un-severed. The development shall be implemented in accordance with the approved Tree Protection Plan.

Reason: To ensure that the trees on site are to be retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 180 of the National Planning Policy Framework (2023).

11. During the construction period, none of the trees or hedges identified to be retained as per Tree retention drawings contained within Arboricultural Assessment by fpcr November 2020 ref:-

6675-T -09A
6675-T-10A
6675-T-11A
6675-T-12A
6675-T-13A
6675-T-14A

Shall be cut down, uprooted or destroyed, nor shall be topped or lopped other than in accordance with the approved plans, without the written approval of the Local Planning Authority. If any of the trees or hedges to be retained are removed, uprooted or destroyed or dies, a replacement shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as maybe specified in writing by the Local Planning Authority.

Reason: To ensure that the existing trees on the site are retained and protected in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 180 of the National Planning Policy Framework (2023).

12. The installation of 12No. bat boxes shall be carried out in accordance with the recommendations contained within 4.59 of the submitted Ecological Appraisal (November 2020), received by the Local Planning Authority on 03 December 2020. The boxes shall be provided prior to first occupation of the relevant phase of development hereby approved.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

13. No works to any trees identified within the Bat Report as being moderate to high bat roost potential shall take place until an inspection by a suitably qualified ecologist has taken place.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

14. Within 3 months of any ground clearance of Phase 2, 3 and 4 of the development hereby approved, an updated Badger Survey for the relevant phase shall have been carried out on site and have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved survey and in accordance with any mitigation measures identified. In respect of Phase 1 the development shall be carried out in accordance with the approved survey and any mitigation measures identified through the Discharge of Condition decision reference 21/01467/DISCON and C15 Phase 1 Badger Update 19/1/22 received 26/1/22.

Reason: To ensure the impact upon protected species on site are identified and mitigated accordingly in accordance with DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document and paragraph 180 of the National Planning Policy Framework (2023).

15. The development shall be carried out in accordance with the waste and recycling storage and collection scheme as approved by the Discharge of Condition decision reference 21/01467/DISCON. The approved scheme shall be implemented in accordance with the agreed details prior to the occupation of the dwelling to which it relates.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

16. The development shall be carried out in accordance with the scheme for the ventilation to serve all habitable rooms which overlook the M1 corridor as approved through the Discharge of Condition decision reference 21/01467/DISCON and the works shall be implemented prior to first occupation of any dwelling overlooking the M1 corridor.

Reason: In the interests of the amenity of the future occupiers of the dwellings and to ensure that acceptable living and sleeping/resting conditions within the houses are provided in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

17. Notwithstanding the approved plans, no development shall take place within Phase 2, 3 or 4 until details of all rear boundary treatments for each dwelling within that phase has been submitted to and approved in writing. The approved boundary treatment shall be completed for each plot prior to its occupation. In respect of Phase 1 the boundary treatments shall accord with the details - C17 & C18, Scheme of Ventilation & Boundary Treatment Plan (Phase 1) Rev B received 16/3/22 approved as part of the Discharge of Condition decision reference 21/01467/DISCON.

Reason: In the interests of the amenity of the future occupiers of the dwellings to ensure acceptable amenity standards are provided having regard to the proximity to the M1 corridor, in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

18. The development shall be carried out in accordance with the scheme for protecting the proposed dwellings from noise from activities at Upper Grange Farm/Tomlinson Boarding Kennels - C19 Dog Agility Initial Assessment received 9 December 2021 and C19 Noise Letter from Agility Classes P01 received 27 July 2022 as approved through the Discharge of Condition decision reference 21/01467/DISCON. All works which form part of the scheme shall be completed before any of the permitted dwellings are first occupied.

Reason: To ensure that the neighbouring use does not become a source of annoyance to future residents in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

19. All windows to habitable rooms for the plots identified on Drawing No. 6675-A-05 N 'Hoare Lea Mark up' received by the Local Planning Authority on 9 March 2021 shall be fitted with glazing prior to the occupation of the dwelling to achieve the sound reductions specified. Standard double glazing to achieve a sound reduction of a minimum of 31dB shall be fitted to habitable rooms on all other plots

Reason: In the interests of the amenity of the future occupiers of the dwellings and to ensure that acceptable living and sleeping/resting conditions within the houses are provided in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

20. The development shall be carried out in accordance with the scheme for the investigation of potential

land contamination on the site and details of how any contamination is dealt with as follows:

Received 8 March 2022

C21 PJSF21-15-RT-02 Markfield Technical Note

C19 & C21 Supporting information Received 24 January 2022

Received 12 January 2022

C21 PJSG21-15- Geo-Environmental Assessment Markfield Final Dec 21 Rev A

As approved through the Discharge of Condition decision reference 21/01302/DISCON. Any remediation works shall be carried out prior to the dwellings 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 Site Allocations and Development Management Policies Development Plan Document (2016).

21. 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 unexpected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the first dwelling in that phase 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 Site Allocations and Development Management Policies Development Plan Document (2016).

22. 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 Site Allocations and Development Management Policies Development Plan Document (2016).

23. The development shall be carried out in accordance with the Construction Environmental Management Plan - C24 Construction Management Plan Rev C and C24 Supporting information for Rev C received 22/12/21 as approved through the Discharge of Conditions decision reference 21/01302/DISCON.

No vehicular access shall be allowed during the construction phase of the development via the access track Footpath R29 (Captain's Lane).

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

24. Construction work of the development, hereby permitted, shall not take place other than between the hours of 07:30 hrs and 18:00 hrs on weekdays and 07:30 hrs and 13:00 hrs on Saturdays and at any time on Sundays and Bank Holidays unless other agreed in writing.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

25. The development shall be carried out in accordance with the details of the provision of electronic communications infrastructure to serve the development, including full fibre broadband connections:

Received 19 January 2022

C26 Phase 1 & 2 Proposed Open Reach Connection

Page 4 of 4

As approved by the Discharge of Condition decision reference 21/01467/DISCON. The infrastructure shall be fully available upon the occupation of each dwelling on the site.

Reason: To ensure the provision of a high quality and reliable communications infrastructure network to serve the development to accord with paragraph 118 of the National Planning Policy Framework (2023).

26. The development hereby approved shall be carried out in accordance with the approved Written Scheme of Investigation (ULAS, dated 4 May 2021), unless otherwise agreed in writing with the local planning authority

Reason: To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016).

27. No development of Phase 2, 3 or 4 containing a public right of way shall commence until a scheme for the treatment of the public rights of ways have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of their management during construction, surfacing, width, structures, signing, landscaping and their implementation in accordance with the principles set out in the Leicestershire County Councils Guidance Notes for Development. The approved scheme shall be adhered to and implemented in strict accordance with the scheme. In respect of Phase 1 the development shall be carried out in accordance with the information within the Cover Letter to all Conditions received 9 December 2021 as part of the Discharge of Conditions application reference 21/01467/DISCON.

Reason: To protect and enhance the Public Rights of Way and access in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and paragraphs 114 and 116 of the National Planning Policy Framework (2023).

28. Notwithstanding the approved plans, development shall not take place in Phase 2, 3 and 4 until a scheme of hard and soft landscaping works for that phase which shall also including a landscape management plan, has been submitted to and approved in writing by the local planning authority. The Landscape Management Plan shall cover implementation, long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens. The development shall be carried out in full accordance with the approved landscaping scheme and implementation 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.

In respect of Phase 1 the development shall accord with the approved landscaping scheme as approved by the Discharge of Conditions decision reference 21/01467/DISCON as follows:

C29 Planting & Hardworks Plan Drg No. 6675-L-12-18 Rev F (Sheet 1 - 7) received 27 June 2022
C9 & C29 Landscape Management Plan Rev B received 27 July 2022

Reason: To ensure that the development has a satisfactory external appearance, provides ecology and biodiversity enhancements, and woodland planting in accordance with Policies DM4, DM6 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 21 of the Core Strategy.

29. The development shall be carried out in accordance with the proposed finished floor levels as approved through the Discharge of Condition decision reference 21/01302/DISCON as follows:

C30 External Levels Layout Sheet 1 of 4 Drg No. FW2127-C-002-01 Rev C1
C30 External Levels Layout Sheet 2 of 4 Drg No. FW2127-C-002-02 Rev C1
C30 External Levels Layout Sheet 3 of 4 Drg No. FW2127-C-002-03 Rev C1
C30 External Levels Layout Sheet 4 of 4 Drg No. FW2127-C-002-04 Rev C1
C30 Private Construction Details Sheet 1 of 2 Drg No. FW2127-C-011-01 Rev P1
C30 Private Construction Details Sheet 2 of 2 Drg No. FW2127-C-011-02 Rev P1
Received 23 February 2022

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

30. Prior to first occupation of the development hereby approved, full details of the equipment to be provided within the designated equipped play spaces as indicated on:-
Detailed Planning Layout (1 of 4) - Drg No. 6675-A-01H received 12 March 2021
Detailed Planning Layout (2 of 4) - Drg No. 6675-A-02G received 12 March 2021
Detailed Planning Layout (3 of 4) - Drg No. 6675-A-03H received 12 March 2021
Detailed Planning Layout (4 of 4) - Drg No. 6675-A-04H received 12 March 2021

Shall be first submitted to and agreed in writing by the Local Planning Authority. The agreed play equipment shall be provided in full within one month of the final dwelling being occupied.

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

31. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on DR-O-0001 and ref. PRJ01-TTE-00-ZZ-DR-O-0004 Rev A received by the Local Planning Authority on 11 March 2021 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 in accordance with Policy DM17 of the SADMP (2016).

32. No individual plot shall be occupied until such time as the parking and turning facilities in relation to that plot have been implemented in accordance with drawing number Detailed Layout (Overall) - 6675-A-05 Rev.Q received by the Local Planning Authority on 12 May 2021. Thereafter the onsite parking provision shall be so 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 in accordance with Policy DM17 of the SADMP (2016).

33. Prior to first occupation of the development hereby approved, a signing scheme in respect of the Public Rights of Way, should be submitted to and approved in writing by the Local Planning Authority. The agreed signing scheme shall be completed prior to first occupation of the development.

Reason: To ensure the path is easy to follow through the development in the interests of protecting and enhancing Public Rights of Way and access in accordance with and paragraphs 114 and 116 of the National Planning Policy Framework (2023).

34. No part of the development hereby permitted shall be first occupied until a framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Policy DM17 of the SADMP (2016).

NOTES TO APPLICANT :-

1. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>.

2. Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highway Act 1980.
3. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
4. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
5. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

C. Brown.

Christopher Brown MRTPI
Head of Planning

Date : 12 April 2024

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, you 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 months (see para 2a below) of the date of this notice. (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/planning-inspectorate>). 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 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, 5th September 2003 must be made within six months of the date of this notice.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice>.
5. 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 of the land 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.
6. 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.
7. This permission covers only 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 Building Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences or 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 B.S 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, B.S. 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.
Educational Buildings as defined by Section 29B of the Disabled Persons Act 1981.

PPNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

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-commencement 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 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



Hinckley & Bosworth
Borough Council

Development Details

Planning application ref:	24/00074/CONDIT
Proposal:	Variation to condition 1 of planning permission 23/00117/CONDIT. Revision of site layout and substitute house types.
Site Location:	Land Off Captains Lane / London Road Markfield Leicestershire LE67 9UY

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

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

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

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