

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Welcome Break Group Limited
C/o Agent

Name and Address of Agent (if any)

Mr Ross Fraser
Montagu Evans
70 St Mary Axe
London
EC3A 8BE

Part I - Particulars of Application

Date of Application

19 October 2023

Application No.

23/01023/HYB

Particulars and location of development :

Construction of motorway service area comprising vehicular and pedestrian access from the A5, petrol filling station for domestic vehicles, HGV filling station, Main PFS / Services building, drive thru unit, EV charging spaces, customer parking spaces including HGV, coach and caravan provision, landscaping including picnic and dog walking areas, electric substations and retaining walls at south/western boundary fronting the M69 (Cross boundary application with Rugby Borough Council)

Land East Of Stretton Croft Wolvey Road Burbage Leicestershire

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 be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Location Plan - 1415-24 Rev A received by the Local Planning Authority on 20 August 2024

Proposed Site Plan - 1415-26 Rev R received by the Local Planning Authority on 6 February 2025

Drive Through Coffee Shop Plans and Elevations - 1415-27 received by the Local Planning Authority on 19 October 2023

Petrol and HGV Canopy Details - 1415-28 Rev A received by the Local Planning Authority on 19 October 2023

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

Amenity Building Elevations - 1415-29 received by the Local Planning Authority on 19 October 2023
HGV Kiosk Plans and Elevations - 1415-30 received by the Local Planning Authority on 23 October 2023
Site Elevations - 1415-31 received by the Local Planning Authority on 23 October 2023
Amenity Building Plans - 1415-32 received by the Local Planning Authority on 23 October 2023
Substation Details - 1415-33 received by the Local Planning Authority on 23 October 2023
Landscaping Layout 5254.01 Rev H received by the Local Planning Authority on 26 February 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).

3. No development approved by this planning permission shall take place until such time as a surface water drainage scheme, in accordance with the Sustainable Drainage Statement dated August 2023, has been submitted to, and approved in writing by the Local Planning Authority in consultation with National Highways. The development must be carried out in accordance with these approved details and completed prior to first use.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016), to ensure that the A5 trunk road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

A pre-commencement condition is required to minimise disruption on the Strategic Road Network and in the interests of road safety.

4. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development have been submitted to, and approved in writing by the Local Planning Authority in consultation with National Highways. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016), to ensure that the A5 trunk road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

A pre-commencement condition is required to minimise disruption on the Strategic Road Network and in the interests of road safety.

5. No use 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. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

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 surface water drainage system (including sustainable drainage systems) within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

6. No development approved by this planning permission shall take place until such time as infiltration

testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
- a) Identification of potentially damaging construction activities
 - b) identification of biodiversity protection zones
 - c) practical measures and sensitive working practices to avoid or reduce impacts during construction
 - d) timing of works to avoid harm to nesting birds
 - e) responsible persons for overseeing sensitive works
 - f) use of protective fencing where required

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 193 of the National Planning Policy Framework (2024).

8. No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:
- a) description and evaluation of the features to be created/managed
 - b) aims and objectives of management
 - c) appropriate management options for achieving aims and objectives
 - d) prescriptions for management actions
 - e) work schedule
 - f) species/seed mixes to be planted/sown
 - g) ongoing monitoring and remedial measures

The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 186 of the National Planning Policy Framework (2024).

9. No part of the development hereby permitted shall commence until the proposed A5 access and improvements to the A5/Wolvey Road junction shown on DTP drawing number DTP/3711622/SK004 Revision D have been implemented and open to traffic. The required works shall include provision for a hardwired communications link into the existing signals at the M69 Junction 1 and shall comply with the requirements of the Design Manual for Roads and Bridges (DMRB), including those relating to Road safety Audit (RSA) and Walking, Cycling, Horse-Riding Assessment and review (WCHAR). All remaining off-site highway works shown on drawing DTP/3711622/SK004 Revision D shall be implemented in full prior to the development being brought into use.

Reason: To ensure that the A5 trunk road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

A pre-commencement condition is required to minimise disruption on the Strategic Road Network and in the interests of road safety.

10. The development hereby permitted shall not be occupied until such time as off street car and HGV parking provision (with turning facilities) has been provided, hard surfaced (and demarcated) in accordance with ADS drawing number 26 Rev P. Thereafter the onsite parking (and turning) provision shall be kept available for such uses 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 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

11. Development shall not begin until a scheme for protecting nearby dwellings from noise from the proposed development has been submitted to and approved by the Local Planning Authority. All works which form part of the scheme shall be completed before the development hereby permitted is first brought into use.

Reason: In the interests of the amenity of neighbouring residents in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 135 of the National Planning Policy Framework (2024).

12. No part of the development hereby approved shall commence until full details of all permanent and temporary external lighting of the site has been submitted to, and approved in writing by, the Local Planning Authority in consultation with National Highways. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The permanent lighting shall be installed in full, maintained and operated in accordance with the approved details at all times that the development is operational.

Upon completion of the development, a statement of a suitably qualified contractor shall be submitted stating that any lighting installation to which condition 12 above applies is fully compliant with the Institution of Lighting Professionals Guidance Note 1: "The Reduction of Obtrusive Light" within zone E2.

Reason: To ensure that the A5 trunk road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Route Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024), and Department for Transport Circular 01/2022, and in the interests of the amenity of neighbouring residents in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 135 of the National Planning Policy Framework (2024).

A pre-commencement condition is required to minimise disruption on the Strategic Road Network, in the interests of highway safety and to minimise loss of amenity for neighbouring residents.

13. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. 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).

14. 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).

15. 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).

16. Prior to commencement of development a Construction Environmental Management Plan incorporating a Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority in consultation with National Highways. The Plan shall detail how, during the site preparation and construction phase of the development, the impact on existing residential premises and the environment shall be prevented or mitigated. The Plan shall detail how such controls will be monitored. The Plan shall include details on the following:
- a) Construction site layout showing clearly designated areas for the parking of vehicles for site operatives and visitors; areas for the loading and unloading of plant and materials (i.e. deliveries/waste); storage of plant and materials used in constructing the development; areas for managing waste; and wheel washing facilities;
 - b) Construction phasing;
 - c) An HGV routing plan to include likely origin/destination information, potential construction vehicle numbers, construction traffic arrival and departure times, and construction delivery times (to avoid peak hours);
 - d) Clear and detailed measures to prevent debris, mud and detritus being distributed onto the local highway and Strategic Highway Network;
 - e) Mitigation measures in respect of noise, odour, smoke, light contamination, land contamination and disturbance during the construction phase including vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
 - f) A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
 - g) Waste management;
 - h) Protection measures for hedgerows and grasslands; and
 - i) A procedure for the investigation of complaints and details of the responsible person (e.g. site manager/office) who can be contacted in the event of a complaint.

Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such approved details.

Reason: To ensure that the A5 trunk Road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Route Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024), and Department for Transport Circular 01/2022, and in the interests of the amenity of neighbouring residents in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 135 of the National Planning Policy Framework (2024).

A pre-commencement condition is required to minimise disruption on the Strategic Road Network, in the interests of highway safety and to minimise loss of amenity for neighbouring residents.

17. Site preparation, construction and deliveries shall be limited to the following hours;
Monday to Friday 07:30 - 18:00
Saturday 09:00 - 17:00
There shall be no working on Sundays and Bank Holidays

Reason: In the interests of the amenity of neighbouring residents in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 135 of the National Planning Policy Framework (2024).

18. No demolition/development shall take place/commence until the necessary programme of archaeological work has been completed. The programme will commence with an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in

accordance with a written scheme of investigation (WSI), which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and

- o The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and

- o The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving in accordance with Policy DM13 of the Site Allocations and Development Management Policies Development Plan Document (2016).

19. No part of the development hereby permitted shall be brought into use until a final Staff Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways. The site shall operate in full accordance with the approved Travel Plan thereafter.

Reason: To ensure that the A5 trunk Road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

20. The development hereby approved shall not be brought into use until the acoustic fence shown on Proposed Site Plan drawing 1415-26 Rev R received by the Local Planning Authority on 6 February 2025 has been implemented in full. The fence shall remain in place as long as the site is operational.

Reason: in the interests of the amenity of neighbouring residents in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016)

21. No development shall take place until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority. The scheme 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 external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

22. Before any development commences on the site, including site works of any description, a Tree Protection Plan prepared by a suitably qualified arboriculturist shall be submitted to and approved in writing by the local planning authority. The plan shall include protective barriers to form a secure construction exclusion zone and root protection area in accordance with British Standard 5837:2012 Trees in relation to design, 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 adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraphs 136 and 180 of the National Planning Policy Framework (2024).

23. Development above slab level shall not take place until details of the provision of secure cycle parking has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until the cycle parking has been provided in accordance with the approved details and such parking shall thereafter be retained and kept available for that use.

Reason: To ensure that the development provides satisfactory cycle parking to encourage travel by cycle for members of staff in accordance with Policies DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document (2016).

24. Prior to the commencement of development details of how a Biodiversity Net Gain on baseline conditions shall be achieved and maintained on the site shall be submitted to and agreed in writing by the Local Planning Authority. The site shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that the development provides biodiversity enhancement in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

25. No part of the development hereby approved shall commence until a signage strategy for all new, modified or re-located signs on the Strategic Road Network have been approved in writing by the Local Planning Authority in consultation with National Highways. The development shall thereafter be carried out and operate in accordance with the approved strategy.

Reason: To ensure that the A5 trunk road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

A pre-commencement condition is required to minimise disruption on the Strategic Road Network and in the interests of road safety.

26. No part of the development hereby approved shall commence until full geotechnical details for the land adjacent to the A5 Trunk Road and M69 Motorway included within the full extent of the application boundary are submitted to and approved in writing by the Local Planning Authority in consultation with National Highways. These details shall include (but shall not be limited to) a certification process for the management of geotechnical risks in line with requirements of DMRB CD 622 Managing Geotechnical Risk, starting with the appointment of a new design Geotechnical Advisor and resubmission of a Statement of Intent.

Reason: To ensure that the A5 trunk Road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

A pre-commencement condition is required to minimise disruption on the Strategic Road Network and in the interests of road safety.

27. No part of the development hereby approved shall commence until full details of all boundary treatments adjacent to the A5 and M69 have been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways. This shall include (but not be limited to):
- a) A Road Restraints Risk Assessment Process (RRRAP) to determine whether any safety fencing is required on the A5 verges and linking the safety fence on the M69 J1. Should a safety fence be required, evidence shall be provided to demonstrate that this can be installed on site, in accordance with the standards set out in DMRB CD 377 Requirements for Road Restraint Systems. If trees are proposed to be removed purely as risk mitigation measures National Highways should be consulted beforehand to agree a risk-based approach;
 - b) Details of fencing or planting ensuring livestock cannot access highway land; and
 - c) Details of anti-dazzle fencing or planting to be provided in areas where traffic movements might cause dazzle.

The approved boundary treatment shall thereafter be constructed in accordance with the approved plans and maintained in perpetuity.

Reason: To ensure that the A5 trunk Road and M69 motorway continue to serve their purpose as part

of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

A pre-commencement condition is required to minimise disruption on the Strategic Road Network and in the interests of road safety.

28. The development hereby approved shall, as a minimum, provide both the minimum requirements for a Motorway Service Area as set out in Table 1, Annex A, and the minimum parking requirements as defined in Table 2, Annex A of Department for Transport Circular 01/2022: Strategic Road Network and the Delivery of Sustainable Development. This provision shall be maintained at all times that the site is operational.

Reason: To ensure that the A5 trunk Road and M69 motorway continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the Strategic Road Network resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016), Section 9 of the National Planning Policy Framework (2024) and Department for Transport Circular 01/2022.

NOTES TO APPLICANT :-

1. In relation to conditions 13 and 14 advice from Environmental Health should be sought via esadmin@hinckley-bosworth.gov.uk to ensure that any investigation of land contamination is in accordance with their policy.
2. The applicant's attention is drawn to the consultation response from the the County Archaeologist received by the Local Planning Authority on 27 November 2023.
3. The applicant's attention is drawn to the consultation response from the Environment Agency received by the Local Planning Authority on 30 November 2023
4. The applicant's attention is drawn to the consultation response from Leicestershire Police received by the Local Planning Authority on 7 December 2023.
5. The applicant's attention is drawn to the consultation response from the Lead Local Flood Authority received by the Local Planning Authority on 11 December 2023.
6. Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore all removal of vegetation should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
7. Slow-worm, common lizard, adder and grass snake are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This legislation makes it an offence to deliberately kill, injure or take slow-worm, common lizard, adder or grass snake. As such, care should be taken to avoid impacting reptiles during the development and a displacement strategy should be followed.
8. The highway mitigation works associated with this consent involves works within the public highway, which is land over which you have no control. National Highways therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the National Highways Section 278 Service Delivery Manager using the contact email address david.steventon@nationalhighways.co.uk
9. The applicant should be made aware that any works undertaken to National Highways network are carried out under the Network Occupancy Management policy, in accordance with National Highways procedures, which currently requires notification/booking three months prior to the proposed start date. Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The contact email for these matters is Area7networkoccupancy@nationalhighways.co.uk

10. The operation of the Motorway Service Area will be the subject of a legal agreement between National Highways and the operator of these facilities. The contact email for these matters is roadsidefacilities@nationalhighways.co.uk
11. The applicant's attention is drawn to the advice given in the National Highways consultation response dated 5 December 2024.

C. Brown.

Christopher Brown MRTPI
Head of Planning

Date : 9 June 2025

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/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 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



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Development Details

Planning application ref:	23/01023/HYB
Proposal:	Construction of motorway service area comprising vehicular and pedestrian access from the A5, petrol filling station for domestic vehicles, HGV filling station, Main PFS / Services building, drive thru unit, EV charging spaces, customer parking spaces including HGV, coach and caravan provision, landscaping including picnic and dog walking areas, electric substations and retaining walls at south/western boundary fronting the M69 (Cross boundary application with Rugby Borough Council)
Site Location:	Land East Of Stretton Croft Wolvey Road Burbage Leicestershire

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:	

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