

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Mr L Elphick
Lagos Cottage
18 Burton Road
Wellesborough
Twycross
Atherstone
Leicestershire
CV9 3PR

Name and Address of Agent (if any)

Mr Marcos Makin
Home Plan Design Services
27B High Street
Highworth
Swindon
SN6 7AG

Part I - Particulars of Application

Date of Application	Application No.
23 July 2025	25/00724/FUL

Particulars and location of development :

Erection of a dwelling (Class C3) and associated works

Lagos Cottage 18 Burton Road Wellesborough Twycross Atherstone

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.

Prior to commencement

2. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP: Biodiversity shall include, but not be limited to, the following:

(a) Identification of potentially damaging construction activities;

(b) practical measures and sensitive working practices to avoid or reduce impacts during

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

construction on badger, small mammals, reptiles and great crested newts;

- (c) timing of works to avoid harm to nesting birds;
- (d) responsible persons for overseeing sensitive works; and
- (e) use of protective fencing where required for hedgerows and boundary vegetation.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To conserve protected and priority species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and Section 40 of the NERC Act 2006 (as amended).

3. Prior to the commencement of development, a Biodiversity Enhancement Plan shall be submitted to, and approved in writing by, the Local Planning Authority. Enhancements shall include, but not be limited to:
- (a) 13cm x 13cm holes at the base of new close board fencing; and
 - (b) at least one integrated bat box, one integrated swift box, and one integrated sparrow terrace with the makes/models and their locations.

Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme and shall be completed prior to first occupation of the dwelling.

Reason: To enhance protected and priority species and habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Prior to the commencement of development, the proposed finished floor levels shall be submitted to and agreed in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

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

Construction

5. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:
- o Application Form (submitted: 23.07.2025)
 - o Site Location Plan (submitted: 24.04.2026)
 - o Proposed Site Plan (25/3278/01 Rev J) (submitted: 04.06.2026)
 - o Proposed Floor Plans & Elevations (25/3278/02 Rev F) (submitted: 24.04.2026)
 - o Confirmation of materials (submitted: 24.04.2026)
 - o Proposed soft and hard landscaping scheme (25/3278/04 Rev A) (submitted 04.06.2026)
 - o Preliminary Bat Roost Assessment and Bird Survey (submitted: 23.07.2025)
 - o Ecological Assessment Revision 02 (submitted: 04.06.2026)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM6, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. The Poplar (G1) and Birch (G2) trees identified in the Arboricultural assessment (reference WCL/LE/AA/12825) shall be retained and no construction work shall take place with the identified root protection area.

Reason: To ensure that the existing trees on the site are retained and protected in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. Site preparation and construction shall be limited to the following hours:

Monday - Friday 07:30 - 18:00

Saturday 09:00 - 14:00

No working on Sundays and Bank Holidays

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Prior to occupation

8. Prior to the first occupation of the development hereby permitted, the access arrangements shown on Proposed Site Plan, drawing no. 25/3278/01 Rev J shall implemented in full. Visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway / verge / highway.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

9. Prior to the first occupation of the development hereby permitted, the parking (and turning facilities) shall be implemented in accordance with Proposed Site Plan, drawing no. 25/3278/01 Rev J. 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 the National Planning Policy Framework (2024).

10. Prior to the first occupation of the development hereby permitted, the offsite works shown on Proposed Site Plan, drawing no. 25/3278/01 Rev J have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2024).

NOTES TO APPLICANT :-

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. Your attention is drawn to the Biodiversity Net Gain Condition within the Decision Notice. The development is subject to the Biodiversity Gain Condition. A Biodiversity Gain Plan needs to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The application can be made online here: https://www.hinckley-bosworth.gov.uk/info/200249/view_planning_applications_and_decisions/1476/does_the_property_comply_with_planning_conditions.
3. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc., and the minimisation of paved areas, subject to satisfactory propositi test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone, or in combination with infiltration systems and/or rainwater harvesting systems.
4. Any access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
5. Nesting birds are protected under the Wildlife & Countryside Act 1981) as amended); therefore, all removal of trees, shrubs, and hedges should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.

C. Brown.

Christopher Brown MRTPI
Head of Planning

Date : 7 August 2026

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 six weeks 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.



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:	25/00724/FUL
Proposal:	Erection of a dwelling (Class C3) and associated works
Site Location:	Lagos Cottage 18 Burton Road Wellesborough Twycross Atherstone

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
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