HINCKLEY & BOSWORTH BOROUGH COUNCIL

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Benchmark Properties
The Gallery
Wharf Yard
Off Coventry Road
Hinckley
Leicestershire

Name and Address of Agent (if any)
George Burton Architecture And Design
The Old Dairy
25 Brookside
Stretton-on-Dunsmore
Rugby
Warwickshire
CV23 9NH

Part I - Particulars of Application

Date of Application	**Application No.**
12 February 2008	08/00136/FUL

Particulars and location of development :

DENTAL LABORATORY AND CLINIC WITH 2NO. OFFICE UNITS AND 9NO. APARTMENTS WITH VEHICULAR ACCESS AND PARKING

Wharf Yard Hinckley Leicestershire

Part II - Particulars of decision

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies RES5, BE1, BE7, EMP4, T5 and REC3 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

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.

2. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed building shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

   (i) proposed finished levels or contours
   (ii) means of enclosure
   (iii) car parking layouts
   (iv) other vehicle and pedestrian access and circulation areas.
   (v) hard surfacing materials
   (vi) minor artefacts and structures (e.g. bin stores, lighting, etc.)
   (vii) proposed and existing functional services above and below ground (e.g. meter boxes etc.)
   (viii) planting plans
   (ix) written specifications
   (x) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
   (xi) implementation programme.

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4. The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. 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.

5. The development hereby permitted shall not commence before the provision and maintenance of off-site open space or facilities whether by off-site physical provision or financial contributions as required in accordance with policy REC3 of the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide has been secured in such a manner as is approved in writing by the Local Planning Authority.

6. The windows to be inserted in the southern elevation shall be obscure glazed as shown on approved plan no. 3634/2008/03/J and the sliding doors shall be none openable and both shall retained as such at all times thereafter.

7. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and retained as such at all times thereafter.

8. Prior to the development commencing full details of junction radii, surfacing and drainage improvement works shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority. Once approved, the improvements shall be provided prior to the development being brought into use and shall be so maintained at all times.

9. Before the development hereby permitted is first used, off-street car parking shall be provided within the application site as generally shown in the amended drawing No 3634/02 Rev E . Spaces 4-7 (inclusive) shall be made available for the proposed offices, spaces 8-12 (inclusive) shall be made available for the dental use and the remaining spaces, marked 1-3 (inclusive) and 13-20 (inclusive) shall be made available for the residential apartments. The parking area shall be surfaced, marked out and the use of each space defined, prior to the development being brought into use and shall be so maintained at all times.

10. Before first use of the development hereby permitted, turning facilities shall be provided within the site in order to allow vehicles to enter and leave in a forward direction. The turning area so provided shall not be obstructed and shall be available for use at all times.

11. Before the commencement of development, details of the generator to be included within the development shall be submitted to and confirmed in writing with the Local Planning Authority. The submitted details shall include the make, model, position, noise emissions and any proposed acoustic screening measures. Once agreed, the generator and its screening shall be in position prior to the development being brought into use and shall be so maintained at all times.

12. This permission relates to the application as revised by amended plans 3634/02/E and 3634/2008/03/J received by the Local Planning Authority on 7th April 2008.

The reasons for the conditions are :-

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3&4. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy NE12 of the adopted Hinckley & Bosworth Local Plan.

5. To ensure the provision of Play and Open Space to accord with policy REC3 of the adopted Hinckley and Bosworth Local Plan.

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6. To ensure that the development is not detrimental to the privacy and amenity of the neighbouring property to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

7. To ensure the development is provided with satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution to accord with Policy NE14 of the adopted Hinckley and Bosworth Local Plan.

8. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety and to afford easy access to the site and protect the free and safe passage of traffic in the public highway as well as pedestrians to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

9. To ensure that adequate off-street parking facilities are available for each of the proposed uses to accord with policy T5 of the adopted Hinckley & Bosworth Local Plan.

10. To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

11. To ensure that the proposed generator does not become a source of annoyance to the adjacent apartment residents to accord with policy BE1 of the Hinckley & Bosworth Local Plan.

12. To define the permission.

NOTES TO APPLICANT :-

1. Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2. This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. Condition 5 refers to play and open space contribution. In this instance a contribution of £1,241 per dwelling is required towards the provision and maintenance of off-site Public Open Space.

4. The proposal is situated in excess of 45 metres from the Highway. In order to cater for emergency vehicles the drive and any turning areas shall be constructed so as to cater for a commercial or service vehicle in accordance with British Standard B.S.5906, 2005 and Building Regulations Approved Document B, Fire Safety 2006.

5. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager - (telephone 01509 622100/01455 287202).

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 11 April 2008