

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

NHS Property Services Ltd
10 South Colonnade
Canary Wharf
E14 4PU

Name and Address of Agent (if any)

Miss Anna McComb
NHS Property Services Ltd
10 South Colonnade
Canary Wharf
E14 4PU

Part I - Particulars of Application

Date of Application

29 August 2023

Application No.

23/00851/OUT

Particulars and location of development:

Outline planning permission for the redevelopment of a Community Diagnostic Centre (CDC) and Endoscopy building (Use Class E(e) (access, appearance, layout and scale to be considered with landscaping reserved)

Hinckley And District General Hospital Mount Road Hinckley Leicestershire LE10 1AE

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 outline planning permission for the carrying out of the development referred to in Part I hereof, in accordance with the application and plans submitted, subject to the following condition(s) :-

1. No development shall commence until details of the landscaping (hereafter called the reserved matters) have been submitted in writing to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved reserved matters.

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

2. Application for approval of reserved matters shall be made within 24 months of the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. As part of the reserved matters application a scheme of hard and soft landscaping works, including boundary treatments and retaining walls, for the site, including an implementation scheme, shall be submitted in writing to and approved in writing by the local planning authority. Thereafter the scheme

IMPORTANT – PLEASE REFER TO THE NOTES AT THE END OF THIS DOCUMENT

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 Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. As part of the reserved matters application a Tree Retention Plan and a Tree Protection Plan shall be submitted in writing to and approved in writing by the local planning authority. This will include locations of trees to be retained, finalised locations of protective barriers, construction exclusion zones and any other protection that trees will require prior to commencement of construction. An Arboricultural Method Statement, Arboriculture Implications Assessment and Tree Management Plan should be supplied with the Tree Protection Plan.

Reason: To reduce the possibility of harm to important landscape features during the construction process in accordance with the requirements of Policy DM6 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2023).

5. The development hereby permitted shall be carried out in accordance with the submitted application details, as follows:
- General Arrangement 23013-MA-XX-XX-DR-C-0100 P02
 - General Arrangements Ground Floor 180731-DGL-01-00-DR-A-2000 P6
 - General Arrangements First Floor 180731-DGL-01-01-DR-A-2001 P8
 - General Arrangements Second Floor 180731-DGL-01-01-DR-A-2002 P7
 - Roof Plan 180731-DGL-01-R-DR-A-2010 P3
 - Elevations South and West 180731-DGL-01-XX-DR-A-2100 P5
 - Elevations North and East 180731-DGL-01-XX-DR-A-2101 P5
 - RIBA Stage 3 Retaining Wall Proposals 10105-003-001 P01
 - Proposed Site Plan 180731-DGL-01-00-DR-A-1140 P4
 - Retaining Wall Setting Out 180731-DGL-01-XX-DR-A-1402 P1
 - Proposed Levels Plan 1782-DBC-ZZ-00-DR-A-0654 P01

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).

6. No 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 development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - The programme for post-investigation assessment and subsequent analysis, publication & 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 the requirements of Policies DM11, DM12 and DM13 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. No development shall commence above foundation level until representative samples of the types and colours of materials to be used on the external elevations of the proposed building (including plant screening) have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document 2016.

8. No external lighting of the site shall be installed until details have been submitted in writing to and approved in writing by the Local Planning Authority. 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 lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from nuisance from artificial light in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

9. The rating level of the noise emitted from fixed plant and equipment (mechanical and electrical) located at the site shall not exceed the existing background level at any premises used for residential purposes surrounding the site when assessed in accordance with BS 4142:2014+A1(2019).

Reason: To protect the environment and local residents from nuisance from noise in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

10. The recommendations of the Combined Phase 1 Desk Study & Phase 2 Report on Ground Investigation (December 2023 by Key GeoSolutions Limited) should be carried out. 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) and the National Planning Policy Framework (2023).

11. 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 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) and the National Planning Policy Framework (2023).

12. Prior to commencement of development a Construction Environmental Management Plan shall be submitted in writing to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall also include details of the routing of construction traffic, details of how Public Right of Way V19 will be managed during construction, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

Site preparation and construction works shall be limited to the following hours;

Monday - Friday 07:30 - 18:30

Saturday 09:00 - 14:00

No working on Sundays, Bank and Public Holidays

Reason: To minimise disruption to the neighbouring residents and to reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policies DM7, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

13. Development shall not begin until a scheme to provide a sustainable surface water drainage system in accordance with the Flood Risk Assessment and Drainage Strategy dated August 2023 has been

submitted to and approved in writing by the Local Planning Authority. Thereafter the development must be carried out in accordance with these approved details and completed prior to first occupation of the development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

14. Prior to commencement of development details in relation to the management of surface water on site during construction of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided. Thereafter 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.

15. 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 SuDS Maintenance Plan should include responsibilities and schedules 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 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.

16. No development shall commence above foundation level until a swift (*Apus apus*) enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. This is to detail the provision of a minimum of 4 integrated nest boxes on the north elevation and 8 integrated nest boxes on the east elevation of the new building. All works are to proceed strictly in accordance with the approved scheme.

Reason: To ensure that the development provide biodiversity enhancement in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and Government guidance contained within the National Planning Policy Framework (2023).

17. Prior to the first occupation of the development hereby approved, photographs of the integrated swift boxes shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, the boxes shall be retained in situ in perpetuity.

Reason: To ensure that the development provide biodiversity enhancement in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and Government guidance contained within the National Planning Policy Framework (2023).

18. The development hereby approved shall be implemented in strict accordance with the measures stated within the Non-licensed Working Method Statement for bats (CGO Ecology, November 2023).

Reason: To ensure that the development does not harm protected species in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and Government guidance contained within the National Planning Policy Framework (2023).

19. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Markides Associates drawing number 23013-MA-XX-XX-DR-C-0100 Rev P02. 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 Policies DM17 and DM18 of the Site Allocations and Development Management Policies DPD 2016 and the National Planning Policy Framework (December 2023).

20. The development hereby permitted shall not be occupied until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use(s) in perpetuity.

Reason: To promote travel by sustainable modes in accordance Policies DM17 and DM18 of the Site Allocations and Development Management Policies DPD 2016 and with the National Planning Policy Framework (2023).

21. No development shall take place until a plan has been submitted and approved in writing by the Local Planning Authority, showing the extent and timescales of any temporary closure or diversion of Public Right of Way V19 and details of permanent surfacing and signposting of the route once development is completed in accordance with the Leicestershire County Council's Guidance Notes for Developers (see <https://tinyurl.com/devprowguide>) or any amended or replacement guidance note in place. Thereafter the development shall be carried out in accordance with the agreed plan.

Reason: To protect and enhance Public Rights of Way and access in accordance with Paragraph 104 of the National Planning Policy Framework (2023).

22. Prior to first use of the development hereby permitted, a Car Park Management Agreement shall be submitted to, and approved in writing by, the Local Planning Authority. As a minimum the Car Park Management Agreement should include details of any tariffs, charging periods, enforcement times and methods and permit arrangements. The Car Park Management Agreement shall include review mechanisms which should include an initial review after 3 months of occupation and reviews on the first and second anniversaries of the building's first use

Reason: To ensure the car park arrangements complements and does not create adverse impacts for other town centre users and residents in accordance with Policy DM18 of the Site Allocations and Development Management Policies DPD (2016), Policy 5 of the Hinckley Town Centre Area Action Plan (2011) and the National Planning Policy Framework (2023).



Christopher Brown MRTPI
Head of Planning

Date:- 14 February 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/appeal-planning-decision>). 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 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 permission to develop land is granted permission subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner 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.
5. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where planning 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.
6. 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 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 BS 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, BS 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.



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-commence 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:	23/00851/OUT
Proposal:	Outline planning permission for the redevelopment of a Community Diagnostic Centre (CDC) and Endoscopy building (Use Class E(e) (access, appearance, layout and scale to be considered with landscaping reserved)
Site Location:	Hinckley And District General Hospital Mount Road Hinckley Leicestershire LE10 1AE

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
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