Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Mr Peter Hunt
16a Cadle Close
Stoney Stanton
Leicestershire
LE9 4HD

Name and Address of Agent (if any)
Mr Colin J Rusted
Bungalow Farm
Stoke Road
Hinckley
Leicestershire
LE10 3EA

Part I - Particulars of Application

Date of Application
1 May 2008

Application No.
08/00450/FUL

Particulars and location of development :

ERECTION OF FOUR BEDROOMED DETACHED DWELLING RE-SUBMISSION OF 07/01061/FUL

20 Coventry Road Burbage Hinckley Leicestershire LE10 2HP

Part II - Particulars of decision

SUMMARY OF DECISION - The proposal is in conformity with Policies BE1, RES5, 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. This permission relates to the application as revised by amended plan 'Frontage details' received by the Local Planning Authority on 18.06.08.

3. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwelling 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1 Classes A, B, C, D and F shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

5. The materials to be used on the proposed hard landscaping shall be submitted to and approved in writing by the local planning authority.

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IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ON THE REVERSE SIDE OF THIS FORM

6. Before any development is commenced on the site, including site works of any description, the protected beech tree to the front of the site, shall be securely fenced off by protective fencing on a scaffolding framework in accordance with B. S. 5837 erected in a circle round each tree at a radius from the bole of 3 metres or to coincide with the extremity of the canopy of the tree, whichever is the greater. Within the areas so fenced off, the existing ground level shall be neither raised or lowered, (except as may be approved by the Local Planning Authority as part of the development) and no materials, equipment, machinery or temporary buildings or surplus soil shall be placed or stored thereon. If any trenches for services are required in the fenced-off areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

7. 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 REC2 and 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.

8. The use of the garage(s) shall remain at all times for the purpose of parking a motor vehicle and shall not be converted to additional living accommodation, unless otherwise agreed in writing with the Local Planning Authority.

9. No gates shall be erected to the vehicular access.

10. The proposed development shall be carried out in accordance with the recommendations contained within the submitted 'Tree Report and Arboricultural Impact Assessment' dated 19.11.07.

The reasons for the conditions are :-

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

2. For the avoidance of doubt.

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

4. To safeguard amenities of neighbouring properties, and to protect the health of the protected tree, to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

5. To ensure that the surfacing used is permeable in the interests of protecting the health of the protected tree in accordance with Policy BE1 of the Hinckley and Bosworth Local Plan.

6. The trees on this site are subject to a Tree Preservation Order and this condition is necessary to ensure that proper steps are taken to safeguard the trees during the course of development.

7. To ensure the provision of adequate play and open space within the vicinity of the site in accordance with Policy REC3.

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

9. In the interests of road safety to accord with policy T5 of the Hinckley & Bosworth Local Plan.

10. To protect the TPO tree in accordance with Policy BE1 of the Hinckley and Bosworth Local Plan.

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.

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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. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk

4. Condition 7 refers to public open space. In accordance with the Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide public open space should be provided either on site, or a contribution made towards off-site provision. In this instance a contribution of £1241 is required towards the provision of off-site public open space.

5. This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

6. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in the BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete lined perforated chamber with access for maintenance or, alternatively, assembled from units of one of the newer, modular systems, comprising cellular tanks and incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.

7. The plans approved as part of this decision are A.042008.1. and 'frontage details' received by the Local Planning Authority on 01.05.08 and 18.06.08 respectively, supported by a design statement and Tree Report and Arboricultural Impact Assessment received 01.05.08.

T. M Prowse

Date:- 18 June 2008

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL