Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Mr Darren Pratt
Bloor Homes South Midlands
Primus House
Cygnet Drive
Swan Valley
Northampton
Nothamptonshire
NN4 9BS

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application	**Application No.**
7 February 2011	11/00082/REM

Particulars and location of development :

APPROVAL OF RESERVED MATTERS FOR A RESIDENTIAL DEVELOPMENT CONSISTING OF 132 DWELLINGS AND ASSOCIATED WORKS

North Warwickshire And Hinckley College London Road Hinckley Leicestershire LE10 1HQ

Part II - Particulars of decision

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan and would not be to the detriment of visual or residential amenity or highway safety.

Hinckley & Bosworth Local Plan (2001):- Policies; BE1, REC2, REC3, RES5, T5, T9, NE2, CF2B, 1MP1.

Hinckley & Bosworth Borough Council Local Development Framework: Core Strategy (2009): - Policies; 1, 5, 15, 16, 24.

The Hinckley and Bosworth Borough Council grants approval in respect of the details referred to in Part I hereof for the purpose of the conditions imposed on the grant of outline planning permission and subject to the following condition(s) :-

1. The development shall be carried out strictly in accordance with the conditions set out in the outline planning permission 10/00505/OUT except as may be modified herein.

2. The development hereby permitted shall be carried out in complete accordance with the details:-

Site Plan Drawing No. HINCKLEY_02H received 26 April 2011
Green Layout Plan Drawing No. HINCKLEY_02G received 18 April 2011
Detailed Soft Layout Proposals for Plots Drawings No.'s JBA 11/21-01 Rev A, JBA 11/21-02 Rev A; JBA 11/21-03 Rev A received 15 April 2011
Road and House Finished Floor Levels Plan Drawing No 20147_03_001 Rev A received 15 April 2011
Feature Entrance Drawing No. HINCKLEY_ENT 01 received 15 April 2011
Feature Elevations Drawing No HINCKLEY_ELE 01 received 15 April 2011

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

Planning Drawing Garages Drawing No LCG_01A received 15 April 2011
Phasing and Construction Plan Drawing No PH_CON_01 received 14 February 2011

House Types received 15 April 2011:-

Drawing No.2B4P/2B4P_SP_01 Plots 66,67,107,108
Elevations Drawing No.2B4P-PL03 Plots 53,54,62,63,106,64,65
Ground Floor Plan Drawing No:2B4P-PL01 Plots 53,54,62,63,106,64,65
First Floor Plan Drawing No: 2B4P-PL02 Plots 53,54,62,63,106,64,65
Elevations Drawing No: 3B5P-PL03 Plots 55,56,60,61
Ground Floor Plan Drawing No: 3B5P-PL01 Plots 55,56,60,61
First Floor Plan Drawing No: 3B5P-PL02 Plots 55,56,60,61
Elevations Drawing No: 3B5P-PL03 Plots 57,58,59
Ground Floor Plan Drawing No: 3B5P-PL01 Plots 57,58,59
First Floor Plan Drawing No:3B5P-PL02 Plots 57,58,59
DURSLEY V1 (VARIANT 1) Drawing No: 4251_V1_01 Rev A Plots 39,85,81
DURSLEY V2 (VARIANT 2) Drawing No: 4251_V2_01 Rev A Plots 130,26,73,75,82,35,36,42
Brick Elevations ALLBROOK Drawing No: 4254_PL03 Plots 33,90,91,97,101
Ground floor ALLBROOK Drawing No: 4254_PL01 Plots 33,90,91,97,98,100,101
First Floor ALLBROOK Drawing No: 4254-PL02 Plots 33,90,91,97,98,100,101
Cottage-brick elevations ALLBROOK Drawing No: 4254-PL04 Plots 98,100
Brick elevations ARDEN Drawing No: 3254-PL03 Plots 34,88,72,74
Cottage-brick elevations ARDEN Drawing No: 3254-PL04 Plots 47,120
Ground Floor ARDEN Drawing No: 3254-PL01 Plots 34,72,74,88,47,120
First Floor ARDEN Drawing No: 3254-PL02 Plots 34,72,74,88,47,120
Brick elevations ARDEN Drawing No: 32G54-PL03 Plot 2
Ground Floor ARDEN Drawing No: 32G54-PL01 Plot 2
First Floor ARDEN Drawing No:32G54-PL02 Plot 2
Elevations OXBRIDGE V1 Drawing No:3350-04-V1 Plots 19-21
Ground Floor Plans OXBRIDGE V1 Drawing No:3350-01 V1 Plots 19-21
First Floor Plans OXBRIDGE V1 Drawing No: 3350-02 V1 Plots 19-21
Second Floor Plans OXBRIDGE V1 Drawing No:3350-03 V1 Plots 19-21
Brick elevations BAMPTON Drawing No: 3250-PL03 Plots 12,13,70,71,103-105
Cottage-Half Render Elevations BAMPTON Drawing No: 3250-PL05 Plots 68,69
Cottage brick elevations BAMPTON Drawing No: 3250-PL04 Plots 125,126,128,129
Ground Floor BAMPTON Drawing No:3250-PL01 Plots 12,13,68,69,70,71,125,126,128,129,103-105
First Floor BAMPTON Drawing No: 3250-PL02 Plots 12,13,68,69,70,71,125,126,128,129,103-105
Drawing Cottage Elevations brick DIDBROOK Drawing No: 4260-PL04 Plot 84
Cottage Elevations Full Render DIDBROOK Drawing No: 4260-PL06 Plots 41,83
Ground Floor DIDBROOK Drawing No: 4260-PL01 Plots 41,83,84
First Floor DIDBROOK Drawing No: 4260-PL02 Plots 41,83,84
Cottage Elevations brick DURSLEY Drawing No: 4251-PL04 Plot 118
Cottage Elevations Full Reder DURSLEY Drawing No: 4251-PL06 Plots 3,96,131
Ground Floor DURSLEY Drawing No: 4251-PL01 Plots 3,96,131,118
First Floor DURSLEY Drawing No: 4251-PL02 Plots 3,96,131,118
Brick Elevations FENWICK Drawing No: 4253-PL03 Plots 4,17,51,89
Ground Floor FENWICK Drawing No: 4253-PL01 Plots 4,17,51,89
First Floor FENWICK Drawing No: 4253-PL02 Plots 4,17,51,89
Brick elevations FENWICK Drawing No: 42G53-PL03 Plot 1
Ground Floor FENWICK Drawing No: 42G53-PL01 Plot 1
First Floor FENWICK Drawing No:42G53-PL02 Plot 1
Drawing Brick elevations FENWICK Drawing No: 4253-PL03 Plot 29
Ground Floor FENWICK Drawing No:4253-PL01 Plot 29
First Floor FENWICK Drawing No: 4253-PL02 Plot 29
Brick elevations HAMILTON Drawing No: 4262-PL03 Plots 27,31,94
Cottage elevations Brick HAMILTON Drawing No: 4262-PL04 Plots 18,95
Ground Floor HAMILTON Drawing No: 4262-PL01 Plots 18,95,27,31,94
First Floor HAMILTON Drawing No:4262-PL02 Plots 18,95,27,31,94
Elevations HANBURY V1 Drawing No:4252-03 V1 Rev C Cream Render Façade – Plots 50,87,76
Elevations HANBURY V1 HANDED Drawing No:4252-03 V1 H Rev C Cream Render Façade – Plot 122
Brick Elevations LACEBY Drawing No:4259-PL03
Ground Floor LACEBY Drawing No: 4259-PL01 Plots 119,80,77
First Floor LACEBY Drawing No: 4259-PL02
BAMPTON/LANGLEY Drawing No: 3250/3253_01 Rev A Plots 14,15
Brick elevations MARFORD Drawing No: 2254-PL03 Plots 6-9,22,25

Ground Floor MARFORD Drawing No: 2254-PL01 Plots 6-9,22,25
First Floor MARFORD Drawing No: 2254-PL02 Plots 6-9,22,25
Brick elevations MARFORD Drawing No:2254-PL03 Plots 10,11
Ground Floor MARFORD Drawing No: 2254-PL01
First Floor MARFORD Drawing No: 2254-PL02
Brick elevations OXBRIDGE Drawing No: 33G50-PL04 Plots 44,45,92,93
Ground Floor OXBRIDGE Drawing No: 33G50-PL01 Plots 44,45,92,93
First Floor OXBRIDGE Drawing No: 33G50-PL02 Plots 44,45,92,93
Second Floor OXBRIDGE Drawing No: 33G50-PL03 Plots 44,45,92,93
Brick elevations RANGEMORE Drawing No: 5351-PL04 Plots 78,79
Ground Floor RANGEMORE Drawing No: 5351-PL01
First Floor RANGEMORE Drawing No: 5351-PL02
Second Floor RANGEMORE Drawing No: 5351-PL03
Cottage Elevations brick SHENSTONE Drawing No:4255-PL04 Plots 127,123,121,48
Brick elevations SHENSTONE Drawing No:4255-PL03 Plots 30,46,102
Ground Floor SHENSTONE Drawing No:4255-PL01 Plots 30,46,102,123,121,127,48
First Floor SHENSTONE Drawing No: 4255-PL02 Plots 30,46,102,123,121,127,48
Brick elevations SHENSTONE Drawing No:42G55-PL03 Plots 16,28,99
First Floor SHENSTONE Drawing No: 42G55-PL02 Plots 16,28,99
Ground Floor SHENSTONE Drawing No:42G55-PL01
Brick elevations SOMERBY Drawing No:4256-PL03 Plots 5,40,49
Ground Floor SOMERBY Drawing No: 4256-PL01 Plots 5,40,49
First Floor SOMERBY Drawing No: 4256-PL02 Plots 5,40,49
Brick elevations WILLERBY Drawing No:53G52-PL06_chimney Plots 32(as),38(as),86(opp)
Brick elevations WILLERBY Drawing No:53G52-PL05_bay Plots 117(as),132(opp)
Ground Floor WILLERBY Drawing No:53G52-PL01 Plots 32,38,86
Ground Floor WILLERBY Drawing No:53G52-PL02_bay Plots 117,132
First Floor WILLERBY Drawing No:53G52-PL03 Plots 32,38,86,117,132
Second Floor WILLERBY Drawing No:53G52-PL04 Rev A Plots 32,38,86,117,132
Elevations APARTMENTS V1 Drawing No:1BF01-03 V1 Rev A Plots 107-114
Floor Plans APARTMENTS V1 Drawing No:1BF01-04 V1 Rev A Plots 107-114

3. Notwithstanding the submitted details, no development shall take place until representative samples of the types and colours of materials to be used on the external elevations of the proposed plots 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 submitted details, no development shall take place until a scheme that makes provision for waste and recycling storage across the site has been submitted to and approved in writing to the Local Planning Authority. The details must address accessibility to storage facilities for residents/collections crews and adequate collection point space at the adopted public highway.

5. Notwithstanding the submitted details, no development shall take place until such a time as details of all publically accessible open spaces and an implementation programme has been submitted to and agreed in writing with the Local Planning Authority. The open spaces shall then be fully provided in accordance with the approved details and implementation programme.

6. Notwithstanding the submitted details, no development shall take place until such a time as a scheme of the details of all re-claimed materials from the existing site and the historical plaque has been submitted to and agreed in writing by the Local Planning Authority. The wall and plaque shall then be fully provided in accordance with the approved details.

The reasons for the conditions are :-

1. For the avoidance of doubt and in the interests of proper planning.

2. For the avoidance of doubt and in the interests of proper planning.

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

4. In the interests of visual amenity, to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

5. In the interests of visual amenity to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

6. In the interests of sustainability and to ensure that the development has a satisfactory external appearance to accord with Policy BE1 of the adopted 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.

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. 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 (0116 3052202).

4. If the roads within the proposed development are to be adopted by the Highway Authority, the Developer will be required to enter into an agreement under section 38 of the Highways Act 1980 for the adoption of the roads. Detailed plans will need to be submitted and approved, the agreement signed and all sureties and fees paid prior to the commencement of development. If an Agreement is not in place when the development is to be commenced, the Highway Authority will serve APCs in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge MUST be made before building commences.

Date:- 28 April 2011

BILL CULLEN
PROPER OFFICER OF THE COUNCIL

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 the applicant is aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions he 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 month (see para 2a below)** of the date of this notice. (Appeals must be made on a form which is available from the Planning Inspectorate, Room 305(K), Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, by telephoning 0117 372 6372 or online at www.planningportal.gov.uk/planning/appeals/). 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 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 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 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 only covers 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 Buildings Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences and 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.