

# Hinckley & Bosworth Borough Council

## Town and Country Planning Act 1990

### Planning Permission

#### Name and Address of Applicant

Mr And Mrs Jolene Hopkins  
The Chestnuts  
Lount Road  
Osbaston  
Nuneaton  
Leicestershire  
CV13 0HR

#### Name and Address of Agent (if any)

Mr James Fleming  
James Fleming Architectural Ltd  
50 Leicester Road  
Hinckley  
Leicestershire  
LE10 1LT

### Part I - Particulars of Application

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**Date of Application**

20 March 2025

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**Application No.**

25/00293/HOU

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**Particulars and location of development:**

Two storey rear extension, single storey rear and side extension and addition of oak framed canopy and cladding to front elevation

**The Chestnuts Lount Road Osbaston Nuneaton Leicestershire**

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**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.

2. The materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 20th March 2025.

**Reason:** To ensure that the development has a satisfactory external appearance in accordance with Policies DM1, DM4 and DM10 of the Site Allocations and Development Management Policies DPD (2016).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance

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

with the submitted application details, as follows:

- Proposed Block & Location Plans, Drg No. 115
  - Tree Survey
  - Bat Survey
- All as received by the Local Planning Authority on the 20<sup>th</sup> March 2025.
- Proposed Floor Plans, Drg No. 2024-29 110 Rev C
- As received by the Local Planning Authority on the 2nd May 2025.
- Proposed Elevations, Drg No. 2024-29 111 Rev D

Both as received by the Local Planning Authority on the 20<sup>th</sup> May 2025.

**Reason:** To ensure a satisfactory form of development in accordance with Policies DM1, DM4, DM6 and DM10, DM18 of the Site Allocations and Development Management Policies DPD (2016).

4. A replacement apple tree shall be planted no later than the first planting season following first use of the extensions hereby approved. Thereafter the tree shall be retained and maintained for a period of five years. If the tree to be retained is removed, uprooted or destroyed or dies, a replacement shall be planted at the same place.

**Reason:** To ensure that the a replacement tree is planted and retained in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

5. No fires should be lit within 6.00 metres of the furthest extent of the canopy of any tree to be retained as part of the approved scheme.

**Reason:** To ensure that the works are carried out in a way that safeguards the health and amenity of the tree in accordance with Policy DM6 and DM10 the Site Allocations and Development Management Policies DPD and paragraph 136 of the NPPF.

#### Notes to applicant

- a) 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](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.
- b) It is a criminal offence to damage or destroy a bat roost. Therefore, if the tree is mature and has hollow cavities and / or is covered with ivy, or has suitable places in which bats might roost, we recommend that it be surveyed for bats before any work is carried out to the tree. All birds, their nests and eggs are protected by the Wildlife and Countryside Act. We recommend that work to trees is done outside the bird-nesting season - i.e between the end of August and beginning March. If work to the tree is to be undertaken during the bird breeding season, we recommend that a suitably qualified ecologist surveys the tree for nesting birds. If nesting birds are present, work must be postponed until the young have left the nest.
- c) It is necessary, when carrying out works to tree(s) to be aware of the WILDLIFE AND COUNTRYSIDE ACT, 1981, whereby it is an offence for any person who intentionally takes, damages or destroys the nest of any wild bird, while the nest is in use or being built, or takes or destroys any eggs of such wild bird. The times when birds are nesting is generally between the months of March to September inclusive.



**Christopher Brown MRTPI**  
**Head of Planning**

Date : 21 May 2025

## 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. As this is a decision to grant planning permission subject to conditions for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks 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-householder-planning-decision>). You must use a Householder 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.
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.

### **PPNOTES (02/07/2014)**



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](mailto: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](mailto:planning@hinckley-bosworth.gov.uk)**



Hinckley & Bosworth  
Borough Council

**Development Details**

|                                  |                                                                                                                                    |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Planning application ref:</b> | 25/00293/HOU                                                                                                                       |
| <b>Proposal:</b>                 | Two storey rear extension, single storey rear and side extension and addition of oak framed canopy and cladding to front elevation |
| <b>Site Location:</b>            | The Chestnuts Lount Road Osbaston Nuneaton Leicestershire                                                                          |

|                                                              |                    |
|--------------------------------------------------------------|--------------------|
| <b>Date when work is intended to start:</b>                  |                    |
| <b>Have all pre-commencement conditions been discharged?</b> |                    |
| <b>Signed:</b>                                               | <b>Print Name:</b> |

**Your contact details (or attach letterhead/business card):**

|                   |  |
|-------------------|--|
| <b>Name:</b>      |  |
| <b>Address:</b>   |  |
|                   |  |
|                   |  |
| <b>Telephone:</b> |  |
| <b>Mobile:</b>    |  |
| <b>Email:</b>     |  |

Hinckley & Bosworth Borough Council  
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR  
TEL: 01455 238141 EMAIL: [planning@hinckley-bosworth.gov.uk](mailto:planning@hinckley-bosworth.gov.uk)