

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Approval of Reserved Matters

Name and Address of Applicant

Mr Richard Henderson
Davidsons Development Limited
Wilson House
Leicester Road
Ibstock
Leicestershire
LE67 6HP

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application

22 July 2024

Application No.

24/00709/REM

Particulars and location of development :

Application for approval of Reserved Matters (relating to Appearance, Landscaping, Layout and Scale for the erection of 120 dwellings and associated works.) attached to planning permission 22/01227/OUT (APP/K2420/W/23/3320601) including discharge of conditions 5 (Ecological Constraints and Opportunities), 6 (Bio Diversity details), 9 (Surface Water Scheme) and 11 (Site/Ground Investigation) of planning permission 22/01227/OUT.

Ashfield Farm Kirkby Road Desford Leicester Leicestershire

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).

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 hereby permitted shall not be carried out otherwise than in accordance with the submitted application details as follows:

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

- Site Location Plan P01 1089 xxxx 400 received 2 August 2024
- Planning Layout P05 1089 100 received 15 July 2025
- Highways Layout P03 xxxx 101 received 10 June 2025
- Swept Path Analysis Refuse Vehicle 1089 ENG 1251B received 15 July 2025
- Materials and Boundary Treatment Layout P04 xxxx 200 received 15 July 2025
- Open Space Plan P04 xxxx 170 received 20 June 2024
- Soft landscaping proposals GL2335 LP 01 Rev D received 15 July 2025
- Soft landscaping proposals GL2335 LP 02 Rev D received 15 July 2025
- Soft landscaping proposals GL2335 LP 03 Rev D received 15 July 2025
- SW Drainage Scheme 1089-ENG-0005 received 12 May 2025
- SW Calculations 1089-CALC-0005 received 12 May 2025
- Housetype - floorplans and elevations Rev C01 Dwg no. DB210G-5 AS and OP
- Housetype - floorplans and elevations Rev C02 -Dwg no. DH301GE-5 AS and OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH313B-5 AS and OP
- Housetype - floorplans and elevations Rev P00 Dwg no. DH314V-5 OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH318B-5 AS and OP
- Housetype - floorplans and elevations Dwg no DH360 BE-5 AS and OP
- Housetype - floorplans and elevations Dwg no DH360 BI-5 AS and OP
- Housetype - floorplans and elevations Rev P00 Dwg no. DH390R-5 AS and OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH402R-5 AS
- Housetype - floorplans and elevations Rev P00 -Dwg no. DH409GH-5 AS and OP
- Housetype - floorplans and elevations Rev P00 -Dwg no. DH409GH-5 Plot 118 AS
- Housetype - floorplans and elevations Dwg no - DH422GR-5 OP
- Housetype - floorplans and elevations Rev C05 Dwg no. DH422G-5 AS
- Housetype - floorplans and elevations Rev C05 Dwg no. DH422GR-5 OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH425GG-5 AS and OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH425GH-5 AS and OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH425GH-5 Plot 114 AS
- Housetype - floorplans and elevations Rev P00 Dwg no. DH427B-5 AS and OP
- Housetype - floorplans and elevations Rev C03 Dwg no. DH430B-5 AS and OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH430BR-5 AS
- Housetype - floorplans and elevations Rev C04 Dwg no. DH501G-5 AS and OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH509V-5 AS and OP
- Housetype - floorplans and elevations Rev C01 Dwg no. DH532BR-5 AS and OP
- Affordable housetype floorplans and elevations, Rev C00 Dwg no. AH10G-5 M4(2) & HQI AS
- Affordable housetype floorplans and elevations, Rev C04 Dwg no. AH16GEA-5 M4(2) & HQI AS
- Affordable housetype floorplans and elevations, Rev P00 Dwg no. AH21GE-5 M4(2) & HQI AS and OP
- Affordable housetype floorplans and elevations Rev P00 Dwg no. AH21GG-5 M4(2) & HQI AS
- Affordable housetype floorplans and elevations Rev P00 Dwg no. AH21GI-5 M4(2) & HQI AS and OP
- Affordable housetype floorplans and elevations Rev P00 Dwg no. AH31GE-5 AS and OP
- Affordable housetype floorplans and elevations Rev P00 Dwg no. AH31GG-5 OP
- Affordable housetype floorplans and elevations Rev P00 Dwg no. AH31GI-5 AS and OP
- Affordable housetype and floorplans and elevations Rev C00 AH35GE-5 AS and OP
- Affordable housetype floorplans and elevations Rev C00 Dwg no. DH16GEA-5 AS
- Affordable housetype floorplans and elevations Rev C00 Dwg no. DH260BE-5 AS and OP

- Affordable housetype floorplans and elevations Rev C00 Dwg no. DH260BI-5 AS
- Affordable housetype floorplans and elevations Dwg no DH313B-5 AS
- Affordable housetype floorplans and elevations Rev C00 Dwg no. AH35G-5 AS and OP
- Affordable housetype floorplans and elevations Rev C01 Dwg no. DH201BR-5 AS
- Affordable housetype floorplans and elevations Rev C01 Dwg no. DH201BRS-5 AS
- Affordable housetype floorplans and elevations Rev C01 Dwg no. DH202BR-5 AS
- Garages - Elevations and floorplan - Rev C01 Dwg no. LG1-4 Single Garage AS
- Garages - Elevations and floorplan - Rev C01 Dwg no. LG3-4 Single Garage AS
- Garages - Elevations and floorplan - Rev C00 Dwg no. MG1-4 Single Garage AS
- Garages - Elevations and floorplan - Rev C01 Dwg no. SG1-4 Single Garage AS
- Garages - Elevations and floorplan - Rev C03 Dwg no. SG3-4 Single Garage AS
- Garages - Elevations and floorplan - Rev C01 Dwg no. SG10-4 Double Garage AS
- Garages - Elevations and floorplan - Dwg no SG23-4 Single & Double Garage AS
- Garage - Elevations and floorplans - Dwg No LG10-4 Double Garage (AS)
- Desford Bin Store - Elevations and floorplans - Rev 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 DPD (2016) and the requirements of the NPPF.

2. The development hereby approved shall be implemented in strict accordance with the Constraints and Opportunities Plan (Brindle & Green, Rev 4) unless otherwise agreed in writing by the LPA. Photographs of the faunal enhancement measures including the integrated bird and bat boxes, hedgehog highways and hibernacula within the new development shall be provided prior to occupation of the development.

Reason: To enhance the ecological value of the development hereby approved in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and the requirements of the NPPF.

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number Planning Layout P05 1089_ 100 received 15 July 2025. Thereafter the on-site parking provision shall be so maintained 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 accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

4. The development hereby permitted shall not be occupied until such time as 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive serving each plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

5. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those

dwelling has been provided in accordance with the Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmac, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and the NPPF.

6. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

7. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

8. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A-E of the Town and Country Planning (General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwellings hereby permitted shall be carried out unless planning permission for such development has been granted by the local planning authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

9. The Landscaping Scheme hereby approved shall be fully implemented in accordance with revised drawings GL2335 LP 01D, 02D and 03D and in accordance with a programme to be submitted and approved in writing by the Local Planning Authority prior to commencement of development with details to include phasing and timescales for delivery of the hard and soft landscaping on site. The soft landscaping provision 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 landscaping work is carried out within a reasonable period and thereafter maintained in accordance with Policy DM10 of the Site

Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

10. Notwithstanding the Phase II Investigation report and Gas Addendum Letter submitted no development approved by this permission shall be commenced in the farm yard area (house, former yard and buildings) until a scheme for the investigation of any potential land contamination in the farm yard area has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. 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 Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

11. With the exception of the attenuation basin and swales, no piped drainage infrastructure shall be constructed until such time as revised hydraulic calculations and private plot external levels have been submitted to, and approved in writing by the Local Planning Authority. The development must then be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy DM7 of the Site Allocations and Development Management DPD 2016 and the requirements of the NPPF.

12. The development hereby permitted shall not be occupied until such time as the refuse vehicle and fire tender turning facilities have been implemented in accordance with drawing numbers 1089-ENG 1250 A and 1089-ENG 1251B. Thereafter the on-site turning provision shall be so maintained in perpetuity.

Reason: To ensure that adequate on street turning provision is made to ensure refuse vehicles and fire tender vehicles can serve the site in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.



Christopher Brown MRTPI
Head of Planning

Date:- 8 October 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. If you are 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, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). 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.

RMNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

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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



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Development Details

Planning application ref:	24/00709/REM
Proposal:	Application for approval of Reserved Matters (relating to Appearance, Landscaping, Layout and Scale for the erection of 120 dwellings and associated works.) attached to planning permission 22/01227/OUT (APP/K2420/W/23/3320601) including discharge of conditions 5 (Ecological Constraints and Opportunities), 6 (Bio Diversity details), 9 (Surface Water Scheme) and 11 (Site/Ground Investigation) of planning permission 22/01227/OUT.
Site Location:	Ashfield Farm Kirkby Road Desford Leicester Leicestershire

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
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
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