

# Hinckley & Bosworth Borough Council

## Town and Country Planning Act 1990

### Planning Permission

#### Name and Address of Applicant

CNG Fuels Ltd  
C/O Agent

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

Mr Tim Williams  
Firstplan Ltd  
Broadwall House  
21 Broadwall  
London  
SE1 9PL

### Part I - Particulars of Application

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**Date of Application**

20 June 2023

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**Application No.**

23/00613/FUL

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**Particulars and location of development :**

Proposed Bio-CNG vehicle fuelling station comprising fuel dispenser islands, plant compound, landscaping, access, associated highway works and associated development

**Land South Of A5 Watling Street & West Of Petrol Filling Station Hinckley Leicestershire LE10 3ED**

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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 development hereby permitted relates to the following approved plans only:
  - Site Location Plan 042-01-CNG-101 REV G, received on 01/03/24.
  - Existing Site Plan 042-01-CNG-102 REV G, received on 01/03/24.
  - Site Block Plan 042-01-CNG- 103 REV J, received on 01/03/24.
  - Proposed Site Layout 042-01-CNG-104 REV J, received on 01/03/24.
  - Proposed Site Elevations 042-01-CNG-105 REV E, received on 01/03/24.
  - Site Lighting Plan 042-01-CNG-106 REV I, received on 01/03/24.
  - PROPOSED LEFT IN / RIGHT OUT ACCESS ON A5 WATLING STREET drawing number 22-240-007 Rev H, received on 01/03/24.

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

- Arboricultural Impact Assessment (March 2024, 87785.545092/22-1826), received on 12/03/24.
- Air Quality Assessment (Ref: 6333r1, 4th May 2023), received on 20/06/23.
- Construction Traffic Management Plan (May 2024), received on 17/05/24.
- Designers Response to Stage 1 Road Safety Audit - signed version, received on 21/05/24.
- Construction Environment Management Plan (March 2024, BEK-23005-2-RevB) received on 12/03/24.
- Ecological Impact Assessment (March 2024, 22-1826.01/87785.545091), received on 12/03/24.
- Flood Risk Assessment and Drainage Strategy (Issue 07, 08/03/24), received on 12/03/24.
- Sustainable Urban Drainage System, Management & Maintenance Plan (TC/M&M/P9298/23/02), received on 21/07/23.
- External Lighting Proposal (Issue 05, 11/03/24), received on 12/03/24.
- Proposed External Lighting Layout (with calculated illumination levels) LTG-001 REV P4, received on 12/03/24.
- Landscape and Visual Impact Appraisal (D333/V5/JF/March 2024), received on 12/03/24.
- Landscape Proposals (D333.L.001 REV D), received on 12/03/24.
- Noise Impact Assessment (Issue Date: 6 March 2024, EEC/EC19348-5), received on 12/03/24.
- Preliminary Risk Assessment (TC/PRA/P9299/22/01, Issue 01 REV D), received on 12/03/24.
- Site Investigation & Ground Assessment (Report Ref: BEK-23005-1 Rev D), received on 12/03/24.
- Planning Statement (June 2023), received on 20/06/23.
- Planning Statement Addendum (01 March 2024), received on 01/03/24.
- Transport Statement (May 2023), received on 20/06/23.
- Transport Statement Addendum (March 2024 REV A), received on 01/03/24.

**Reason:** To ensure the development accords with the approved details.

3. The approved details within the Construction Environment Management Plan (March 2024, BEK-23005-2-RevB) received on 12/03/2024 shall be implemented throughout the course of the development.

**Reason:** To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Construction of the development hereby approved shall be undertaken in accordance with the approved Construction Traffic Management Plan, May 2024 prepared by Odyssey.

**Reason:** To mitigate any adverse impact from the development on the A5 Trunk Road in accordance with DfT Circular 01/2022.

5. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on PROPOSED LEFT IN / RIGHT OUT ACCESS ON A5 WATLING STREET drawing number 22-240-007 Rev H have been implemented in full.

**Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (December 2023).

6. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing titled "PROPOSED LEFT IN / RIGHT OUT ACCESS ON A5 WATLING STREET" (drawing number 22-240-007 Rev H dated 28 February 2024). Thereafter the onsite parking and turning provision shall be kept available for such use(s) 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 the National Planning Policy Framework (December 2023).

7. The development shall be undertaken in strict accordance with the approved drainage details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or into any drainage system connected to the Strategic Road Network. No drainage connections from any part of development hereby permitted may be made to any Strategic Road Network drainage systems.

**Reason:** In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022.

8. Prior to the occupation of the development hereby permitted, the proposed external lighting, as shown in the lighting plan, shall be constructed and shall thereafter be maintained in perpetuity in accordance with the plan.

**Reason:** To mitigate any adverse impact from the development on the A5 Trunk Road and to satisfy the reasonable requirements of road safety.

9. 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 first dwelling 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).

10. The rating level of the noise emitted from any plant located at the site should not exceed the representative background level by more than 3dB at any premises used for residential purposes surrounding the site when assessed in accordance with BS4142:2014+A1(2019).

**Reason:** To ensure that the proposed use does not become a source of annoyance to nearby residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. The CNG fuelling station hereby approved shall not be used for the refuelling of private motor cars. Details of signage or other methods of control to ensure that the refuelling of private cars is prohibited shall be submitted to and approved in writing by the Local Planning Authority prior to the CNG fuelling station being brought into use. The site shall operate in accordance with the approved details thereafter.

**Reason:** To control future use of the site to mitigate any adverse impact from the development on the A5 Trunk Road and to satisfy the reasonable requirements of road safety.



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

Date : 2 July 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>). You must use a Planning 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. 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 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> | 23/00613/FUL                                                                                                                                                          |
| <b>Proposal:</b>                 | Proposed Bio-CNG vehicle fuelling station comprising fuel dispenser islands, plant compound, landscaping, access, associated highway works and associated development |
| <b>Site Location:</b>            | Land South Of A5 Watling Street & West Of Petrol Filling Station Hinckley Leicestershire LE10 3ED                                                                     |

|                                                              |                    |
|--------------------------------------------------------------|--------------------|
| <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)