HINCKLEY & BOSWORTH BOROUGH COUNCIL

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant	**Name and Address of Agent (if any)**
Mr K Downes	Savage Hayward
F E Downes Ltd	Mr L Ward
Stockwell Head	19 Station Road
Hinckley	Hinckley
Leicestershire	Leicestershire
LE10 1RG	LE10 1AW

Part I - Particulars of Application

Date of Application	**Application No.**
29 October 2007	07/01269/FUL

Particulars and location of development :

ERECTION OF DWELLING (AMENDED SCHEME) PLOT 2.

45 Lutterworth Road Burbage Hinckley Leicestershire LE10 2DJ

Part II - Particulars of decision

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1, RES5 and T5 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 proposed dwelling shall not be occupied until works for the disposal of surface water and foul water have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

2. No further development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

   (i) means of enclosure and boundary treatments
   (ii) hard surfacing materials
   (iii) planting plans
   (iv) written specifications
   (v) implementation programme.

   The development shall be implemented in accordance with the approved details.

3. The shared private drive shall be a minimum effective width of 4.25 metes wide for a distance of at least 4.25 metres from the highway boundary. The access drive once provided shall be so maintained at all times. Where the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

4. Before first use of the development hereby permitted, the vehicular access to the site shall be provided with 2 metre control radii on both sides of the access.

5. Before first use of the development hereby permitted, 2.0 metre by 0.75 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above ground level, in accordance with current standards of the Highway Authority and shall be so maintained in perpetuity.

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

6. Before first use of the development hereby permitted the access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the Highway boundary and shall be so maintained at all times.

7. Before first occupation of the dwelling hereby permitted, turning facilities shall be provided within the site in order to allow vehicles to enter and leave in forward direction. The turning area so provided shall not be obstructed and shall be available for use at all times.

8. Any vehicular access gates, barriers, bollards, chains or other such obstructions erected shall be set back a minimum of 5 metres behind the Highway boundary and shall be hung so as to open inwards only.

9. Construction deliveries shall only take place between the hours of 07:30 and 17:00.

10. Before first occupation of the dwelling hereby approved occurs the existing access off Lutterworth Road shall be permanently closed.

11. The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme 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.

12. 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.

The reasons for the conditions are :-

1. To ensure satisfactory provisions are made for the drainage of the site, in accordance with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

2. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy NE12 of the adopted Hinckley & Bosworth Local Plan.

3. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety and to afford easy access to the site and protect the free and safe passage of traffic in the public highway, in accordance with policy T5 of the adopted Hinckley & Bosworth Local Plan.

4. In the interests of highway safety in accordance with policy T5 of the adopted Hinckley and Bosworth Local Plan.

5. In the interests of pedestrian safety, in accordance with policy T5 of the adopted Hinckley & Bosworth Local Plan.

6. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.), in accordance with policy T5 of the adopted Hinckley & Bosworth Local Plan.

7. To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users, in accordance with policy T5 of the adopted Hinckley & Bosworth Local Plan.

8. To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway, in accordance with policy T5 of the adopted Hinckley & Bosworth Local Plan.

9. To safeguard the residential amenities of nearby dwellings and occupants, and to avoid disturbance due to delivery vehicles entering and leaving site, in accordance with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

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07/01269/FUL Continuation.

10. The access off Lutterworth Road is inadequate to serve the development, in accordance with policy T5 of the adopted Hinckley & Bosworth Local Plan.

11. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy NE12 of the adopted Hinckley & Bosworth Local Plan.

12. To ensure that adequate off-street parking facilities are available to accord with policy T5 of the adopted Hinckley & 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 (01530 262380)

4. The proposal is situated in excess of 45 metres from the Highway. In order to cater for emergency vehicles the drive and any turning areas shall be constructed so as to cater for a commercial or service vehicle in accordance with British Standard B.S. 5906, 1980 and Building Regulations Approved Document B, Fire Safety 204.

5. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be maintained as such thereafter.

6. With regards to Public Open Space, in accordance with the Hinckley & Bosworth Local Plan and the approved Public Open Space Guide a contribution has been made towards off-site provision of £5,550.00.

7. If ground conditions are suitable, soakaways should be considered as a means of disposing of surface water from roof areas; and permeable paving for driveway and turning areas.

Date:- 21 December 2007

PETER CASH
PROPER OFFICER OF THE COUNCIL