

# Hinckley & Bosworth Borough Council

## Town and Country Planning Act 1990

### Planning Permission

#### Name and Address of Applicant

Mr Max North  
130 Stamford Street  
Ratby  
Leicester  
Leicestershire  
LE6 0JU

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

Mr Iain Garnell  
Design Three Sixty  
14 Lockside Close  
Glen Parva  
LE2 9TD

### Part I - Particulars of Application

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#### Date of Application

12 September 2024

#### Application No.

24/00863/REM

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#### Particulars and location of development :

Approval of reserved matters (access, appearance, landscaping, layout and scale) of outline planning permission (24/00243/OUT) for erection of a single dwelling

**130 Stamford Street Ratby Leicester Leicestershire LE6 0JU**

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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 39) 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 complete accordance with the submitted application details, as follows:
  - Site Location Plan Drawing No 107-002 Rev A received by the local planning authority on 19 November 2024.
  - Proposed Layout & Elevation Drawing 107-03 Rev A received by the local planning authority on 29 November 2024.

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

- Proposed Landscape Plan Drg No. 107-04 Rev B received by the local planning authority on 29 November 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. No part of the development hereby permitted shall be occupied until such time as the access arrangements, parking and turning facilities as shown on Landscape Plan, drawing number 107-04 Rev B have been implemented in full. Thereafter the access, onsite parking and turning provision shall be kept available for such use in perpetuity.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, and 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 general highway safety and in accordance with the National Planning Policy Framework (2024).

3. 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 the National Planning Policy Framework (2024).

4. Any proposed changes to the existing boundary treatment currently separating the application site from the Public Right of Way, must be approved by the Local Planning Authority in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers.

Reason: in the interests of protecting and enhancing Public Rights of Way and access in accordance with Paragraph 105 of the National Planning Policy Framework 2024

5. No trees or shrubs should be planted within 1 metre of the edge of the Public Right of Way. Any trees or shrubs planted alongside a Public Right of Way should be of a non-invasive species.

Reason: to prevent overgrowth in the interests of protecting and enhancing Public Rights of Way and access in accordance with Paragraph 105 of the National Planning Policy Framework 2024.

6. The approved hard and soft landscaping scheme shall be carried out in accordance with the details submitted on the approved Landscape Plan Drg No. 107-04 Rev B. The soft landscaping scheme shall be implemented in accordance with the details submitted within the first planting season following first occupation of the dwelling and shall be maintained as approved for a period of a minimum of five years from the date of planting. During this period, any plants or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by plants or shrubs of a similar size and species to those originally planted.

Reason: To enhance the appearance of the development and to ensure that the work is carried out within a reasonable period and thereafter maintained in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. The approved bird boxes, bat boxes and hedgehog walkway shall be installed in accordance with the details submitted on the approved Landscape Plan Drg No. 107-04 Rev B prior to the first occupation of the dwelling hereby permitted and permanently so maintained at all times thereafter.

Reason: To protect and enhance the biodiversity value of the development in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 180 of the NPPF (2024).

8. All bathroom windows shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

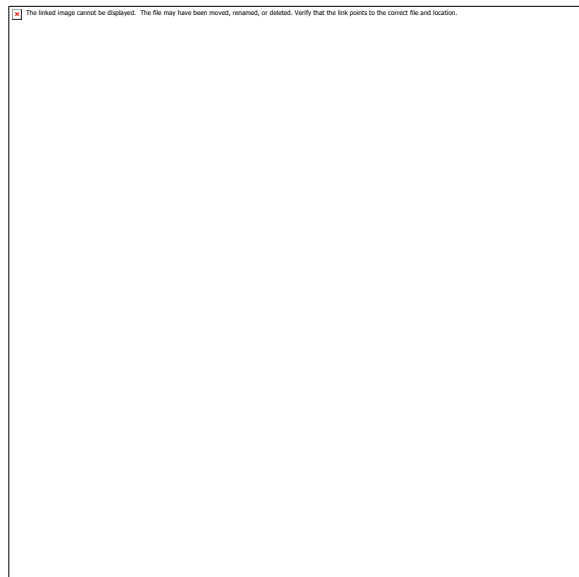
Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

#### NOTES TO APPLICANT :-

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at [buildingcontrol@hinckley-bosworth.gov.uk](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.
2. This approval of reserved matters permission must be read in conjunction with outline planning permission reference 24/00243/OUT and the applicant/developer's attention is drawn to the requirement to comply with, and to fully discharge, the planning conditions attached to both permissions prior to any development commencing on site along with the informative notes.
3. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
4. Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
5. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.

6. The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
7. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
8. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary diversion is required.
9. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
10. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date:- 16 December 2024



Christopher Brown MRTPI  
**Head of Planning**

## 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, 5<sup>th</sup> 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](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)**



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**Development Details**

<b>Planning application ref:</b>	24/00863/REM
<b>Proposal:</b>	Approval of reserved matters (access, appearance, landscaping, layout and scale) of outline planning permission (24/00243/OUT) for erection of a single dwelling
<b>Site Location:</b>	130 Stamford Street Ratby Leicester Leicestershire LE6 0JU

<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)