

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Mr Ravi Dhir
Hillmore Ltd
Shaw Lane
Markfield
Leicestershire
LE67 9PU

Name and Address of Agent (if any)

Mr Dale Radford
rg+p Ltd.
Waterloo House
71 Princess Road West
Leicester
LE1 6TR
United Kingdom

Part I - Particulars of Application

Date of Application

12 October 2023

Application No.

23/01000/FUL

Particulars and location of development :

Demolition of existing buildings and erection of 2no. buildings and associated parking areas, landscaping, access, solar panels, EV charging stations and other works for the purposes of car sales

Hall Farm 16 Altar Stones Lane Markfield Leicestershire LE67 9PX

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

2237_0001_P01_Site Location Plan_20230927
2237_0010_P05_Existing Site Plan_20230927
2237_0050_P09_Proposed Site Plan_20230927 20.3.24
2237_0055_P05_Building A - Proposed Plans_20230927
2237_0056_P04_Building A - Proposed Elevations & Sections_20230927
2237_0060_P05_Building B - Proposed Plans_20230927

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

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).

3. No development shall take place above damp proof course level on the buildings hereby approved until full details of the materials to be used on the external elevations of the proposed buildings have first been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Deliveries shall not take place, the uses hereby approved shall not operate and the premises shall not be open to the public outside the following times:-

08:00 - 18:00 Monday - Friday
08:00 - 1500 Saturday

Deliveries shall not take place, the uses hereby approved shall not operate and the premises shall not be open to the public at anytime on any Sunday, Public and Bank Holidays

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Construction work arising from the development hereby permitted shall not take place other than between the hours of 07:30 hrs and 18:00 hrs on weekdays and 08:00 hrs and 13:00 hrs on Saturdays. Construction shall not take place at any time on Sundays and Public Holidays unless otherwise agreed in writing.

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).

6. Prior to the commencement of development, including any demolition or vegetation clearance, there shall first be submitted to and approved in writing a Construction & Environmental Management Plan: Biodiversity (CEMP). The CEMP shall include the following details:

- A) Identification of potentially damaging construction activities
- B) identification of biodiversity protection zones
- C) practical measures and sensitive working practices to avoid or reduce impacts during construction
- D) timing of works to avoid harm to protected species
- E) responsible persons for overseeing sensitive works
- F) use of protective fencing where required

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: In order to protect habitats and wildlife from construction activities in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and the advice contained in the NPPF.

7. No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the LPA. The LEMP shall include the following details:

- A) description and evaluation of the features to be created/managed
- B) aims and objectives of management
- C) appropriate management options for achieving aims and objectives

- D) prescriptions for management actions
- E) work schedule
- F) species/seed mixes to be planted/sown
- G) ongoing monitoring and remedial measures

The approved plan will be implemented in accordance with the approved details.

Reason: To secure biodiversity net gains in accordance with Section 41 of the NERC Act re UK Biodiversity Action Plan Priority Species (Species of Principal Importance); Policy DM6 of the Site Allocations and Development Management Policies DPD 2016; and the advice contained in the NPPF.

8. 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 use of the premises.

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).

9. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and the surface water drainage scheme 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 the advice contained in the NPPF.

10. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

11. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

12. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

13. No development shall take place above damp proof course level on the buildings hereby approved until there has first been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping. The scheme of soft landscaping shall be in broad accordance with the details shown on the Tree Planting Plan prepared by Outline Trees dated September 2024 and shall include a planting plan, specification (including cultivation and other operations associated with plant, tree and grass establishment), schedule of plants noting their species, planting sizes and proposed number/density and implementation schedule.

The details of the scheme of hard landscaping shall include full details of the proposed finished floor

levels and contours, means of enclosure, hard surfacing materials and any minor artefacts or structures (eg bollards, refuse storage).

The details of the means of enclosure will include full details and a method statement concerned with the retention and/or replacement of the remnant dry stone wall located on the site's boundary.

All hard and soft landscaping works shall be carried out in accordance with the approved details prior to the first use of the development hereby approved or in accordance with a timetable approved in writing by the Local Planning Authority and retained in accordance with the approved details thereafter. Any tree, shrub or plant shown as proposed or retained on the approved scheme of soft landscaping that is removed or dies or becomes seriously diseased/damaged, within 5 years of planting, shall be replaced in the next planting season in accordance with the approved species, size and quantity.

Reason: In the interests of good design and visual amenity and to protect the rural character of the area in accordance with SADMP policy DM4 and DM9; Neighbourhood Plan policy M10 and the advice contained in the NPPF.

14. No development shall commence on the site until such time as a Construction Traffic Management Plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in the interests of highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2023).

15. No part of the development hereby permitted shall be first used until a Delivery Service Management Plan to prevent loading and unloading in the highway has been submitted to and agreed in writing by the Local Planning Authority. This shall include, number of deliveries, details of the types of delivery vehicles and accesses to be used to serve the development and also state larger vehicles such as HGV's and multi vehicle transporters would not be used, unless it can be demonstrated such a vehicle can ingress and egress the site in a forward gear. The approved document shall be adhered to at all times for the operational duration of the development.

Reason: To reduce the possibility of the proposed development leading to large vehicles loading, unloading and turning in the highway, in the interests of highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (December 2023).

16. No part of the development hereby permitted shall be first used until such time as the access arrangements shown on Vectio Consulting drawing number 001 Rev A 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 Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (December 2023)

17. No part of the development hereby permitted shall be first used until such time as vehicular visibility splays of 2.4 meters by 25 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (December 2023).

18. The development hereby permitted shall not be first used until such time as the parking and turning facilities have been implemented in accordance with Thinking Buildings drawing number 0050 Rev P09. Thereafter the onsite parking and turning provision shall be kept available for such uses 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 Policy DM17 and DM18 of the Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (December 2023).

19. The development hereby permitted shall not be used until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 15 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 and the National Planning Policy Framework (December 2023).

20. No external lighting of the site shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the amenities of neighbouring residential occupiers in accordance with SADMP policy DM10, Markfield Neighbourhood Plan Policy M10 and the advice contained in the NPPF.

21. The development shall be carried out in accordance with the recommendations and measures contained within the Arboricultural Impact Assessment & Method Statement (including Tree Protection Plan) prepared by Outline Trees dated September 2023.

Reason: To protect trees that are important to the character of the area in accordance with SADMP policies DM4 and DM10, Neighbourhood Plan policy M10 and the advice contained in the NPPF.

22. The Electric Vehicle Charging points hereby approved shall only be used of clients and employees of the car dealership and not by the general or passing public at any time.

Reason: In order to protect the rural character of the area and the amenities of neighbouring residential occupiers and to manage highway impacts in accordance with SADMP policies DM4, DM7 and DM10; Neighbourhood Plan policy M10 and the advice contained in the NPPF.

NOTES TO APPLICANT :-

1. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
2. Any works to highway trees will require separate consent from Leicestershire County Council as Local Highway Authority (telephone 0116 305 0001). Where trees are proposed to be removed, appropriate replacements will be sought at the cost of the applicant.
3. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
4. Please note that all businesses have a duty of care to ensure that any waste produced is handled safely and within the law.
5. All waste produced by a business including (but not limited to) paper, cardboard, cans, retail packaging, and food wrappers/waste, is commercial waste. For this reason, it legally has to be discarded in a certain way via a trade waste service or transfer station and cannot be disposed of through the residential service. Please ensure there is adequate space on the property to store the waste containers for the business.
6. Businesses should arrange their own business/trade waste collection service. If you give your waste

to someone else you must be sure that they are authorised to take it and can transport, recycle or dispose of it safely

7. This decision notice should be read with the legal agreement titled "Unilateral Undertaking- Halls Farm, Altar Stones Lane, Markfield LE67 9PX, 23/01000/FUL" dated 28th August 2024.



Christopher Brown MRTPI
Head of Planning

Date : 29 August 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-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



**Hinckley & Bosworth
Borough Council**

Development Details

Planning application ref:	23/01000/FUL
Proposal:	Demolition of existing buildings and erection of 2no. buildings and associated parking areas, landscaping, access, solar panels, EV charging stations and other works for the purposes of car sales
Site Location:	Hall Farm 16 Altar Stones Lane Markfield Leicestershire LE67 9PX

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
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk