

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Mr George Denny
Old House Farm
Sutton Lane
Cadeby
Warwickshire
CV13 0AR

Name and Address of Agent (if any)

Martin Ladd
Housemartin Designs
The Carhouse
Charnells Court
Upperfields Farm
Main Street
Sweptstone
Leicestershire
LE67 2SG

Part I - Particulars of Application

Date of Application

04 January 2024

Application No.

24/00019/FUL

Particulars and location of development:

The proposed erection of a 50x room Golf and leisure accommodation facility with associated works (part revised scheme to that approved under 19/01437/FUL). .

Kyngs Golf And Country Club, Station Road, Market Bosworth, Leicestershire, CV13 0NP

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 only be carried out in accordance with the following approved plans:

- Site Location Plan
- Proposed Site Layout Plan - Drg No. HMD/PD/0532/01
- Proposed Ground Floor Layout Plan - Drg No. HMD/PD/0532/02
- Proposed First Floor Layout Plan - Drg No. HMD/PD/0532/03

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

- Proposed Elevations - Drg No. HMD/PD/0532/04
- Sectional Elevations - Drg No. HMD/PD/0532/05
- Roof Plan / Guest Room Layout - Drg No. HMD/PD/0532/06

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the proposed holiday lodges and clubhouse, shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document and the requirements of the NPPF.

4. Prior to first use of the development hereby approved, works to reinstate the 18 hole golf course including, drainage, fairways, greens, tees and bunkers shall be completed and brought into use.

Reason: To ensure the retention and operation of the Golf Course as a leisure facility to accord with Policy DM24 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The accommodation hereby approved shall not be occupied until the Golf Clubhouse has been completed and brought into use.

Reason: The accommodation is associated with the use and vitality of the existing leisure facility to provide complementary overnight accommodation to this Leisure and tourist resource to accord with Policy DM24 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 23 of the Core Strategy.

6. No development above foundation level shall commence on site until verification of the opted mitigation in respect of gas protection measures as per BS8485 is submitted to and approved in writing by the LPA within 6 months of the date of this decision and implemented in accordance with the agreed details.

Reason: As the site lies within 250 metres of a known landfill/made up ground site and in the absence of detailed information which demonstrates that the site does not have ground gas egress, in order to safeguard human health and to ensure that the necessary measures are taken to avoid any risk to public safety, in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the requirements of the NPPF.

7. Prior to commencement of development a Construction Traffic Management Plan shall be submitted in writing to and agreed in writing by the Local Planning Authority. The plan shall include as a minimum:
 - details of the routing of construction traffic and HGVs
 - construction traffic arrival and departure times
 - delivery times to avoid peak traffic hours
 - parking and delivery arrangements
 - clear and detailed measures to prevent debris, mud and detritus being distributed onto the road network, including details of wheel cleansing facilities

and a timetable for their provision.

Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such 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 unsuitable roads and lead to on-street parking problems in the area in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the National Planning Policy Framework (2023).

8. Construction work of 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 and not at any time on Sundays and Bank Holidays unless other 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) and the requirements of the NPPF.

9. No floodlighting or external lighting 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.

Reason: To safeguard the appearance of the area and/or the amenities of neighbouring dwellings according with Policy DM4, DM7 and DM10 of the Site Allocations and Development Management Policies DPD (2016) and the requirements of the NPPF.

10. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on HAS drawing number HAS/17-030/01 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 the National Planning Policy Framework (December 2023).

11. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the Proposed Site Layout Plan - Drg No. HMD/PD/0532/01. Thereafter the onsite 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 the interests of highway safety and in accordance with the requirements of the National Planning Policy Framework (December 2023).

12. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 65 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 accordance with the requirements of the National Planning Policy Framework (December 2023).

13. The development hereby permitted shall only be carried out in accordance with the approved construction management plan details ref 23/00273/DISCON.

Received 21 March 2023.
Construction Management Plan details

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 accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

14. Hard and soft planting for the development shall be carried out in the first planting season following the first occupation of any unit of accommodation hereby approved. 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 and shrubs of a similar size and species to those originally planted. It shall be carried out in accordance with the following approved details ref 23/00434/DISCON:

Received 15 June 2023
Post & Rail Details (1)
Post & Rail Details (2)
Tree Protection Fencing
Gravel Details

Received 22 May 2023

Detailed Landscape Proposals GL0945 24
82659.111.1 External Works Surfacing Plan Construction Details
82659.110.P1 External Works Surfacing Plan
Proposed Site Plan A.PL.001 Rev L

Reason: To ensure the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

15. The development hereby permitted shall be implemented in accordance with the following approved finished floor levels ref 23/00434/DISCON:

Received 22 May 2023
C9 & C10 82659.110.P1 External Works Surfacing Plan
C9 & C10 82659.111.1 External Works Surfacing Plan Construction Details
C9 & C10 Proposed Site Plan A.PL.001 Rev L

Received 15 June 2023
C10 Topographical Survey (Existing Levels)

Reason: To ensure the development has a satisfactory appearance and in the interests of visual amenity in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

16. Development hereby permitted shall be carried out in accordance with the approved footpath management details ref 23/00434/DISCON prior to first occupation of the accommodation hereby approved:

Received 22 May 2023
PRoW Management Plan (Issue 1)
Detailed Landscape Proposals GL0945 24

Reason: For the amenity, safety and security of the users of the Public Right of Way in accordance with the requirements of the NPPF.

17. The surface water and drainage details shall be implemented on site in full accordance with the following details approved under ref 23/00273/DISCON before the development hereby approved is first brought into use:

Received 24 August 2023
Proposed Drainage Layout 82659-101 P2
Drainage Construction Details 82659 – 102 P2
Manhole & Pipe Schedule 82659 – 103 P2
Section Through Pond & Headwall 82659 – 104 P2
External Works & Surfacing Plan 82659 – 110 P3
External Works & Surfacing Plan Construction Details 82659 – 111 P3
Full Network Attenuation Pond & FCC 82659

Received 1 August 2023
Maintenance Schedule
Received 21 March 2023
Surface Water Management Plan

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

18. The long-term maintenance of the surface water drainage scheme shall be carried out in accordance with the following details approved under ref 23/00273/DISCON prior to the development being brought into use:

Received 1 August 2023
Maintenance Schedule

Received 21 March 2023

Surface Water Management Plan

Reason: To ensure a suitable maintenance regime that can be monitored over time to ensure long term performance, both in terms of flood risk and water quality in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

19. The infiltration testing details shall be implemented and completed prior to first occupation of the accommodation hereby approved in accordance with the following details approved under ref 23/00273/DISCON:

Received 21 March 2023
Infiltration Test Report

Reason: To ensure suitable infiltration techniques in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

20. Management of habitat on site shall be implemented in accordance with the following details approved under ref 23/00273/DISCON and maintained as such thereafter:

Received 21 March 2023
Habitat Management Plan

Reason: In order to protect wildlife species and their habitats in accordance with Policy DM6 of the Site Allocations and Development Management DPD 2016 and the requirements of the NPPF.

21. Prior to development above slab level a scheme for the installation of electric vehicle charging points will be submitted to and approved in writing by the local planning authority. The scheme shall identify the number of electric charging points, together with full detail of the location and fitting of the units. Thereafter the electric vehicle charging points shall be installed in accordance with the approved details prior to the first use of the development hereby permitted and shall be retained in perpetuity thereafter.

Reason: To ensure that the proposals meet the requirements of Policy DM10 (g) of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 111 (e) of the National Planning Policy Framework.

22. Prior to development above slab level a scheme for the provision of solar panels on the building hereby approved shall be submitted to and agreed in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To help increase the use and supply of renewable and low carbon energy in accordance with the requirements of the National Planning Policy Framework.



Christopher Brown MRTPI
Head of Planning

Date : 12 April 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 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:	20/01284/FUL
Proposal:	Demolition of existing buildings, refurbishment of an existing building and erection of workshop buildings (Use Class B2) with ancillary offices and welfare floorspace, parking together and new access
Site Location:	Unit 2 Midland Distribution Centre Markfield Road Groby Leicester

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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