HINCKLEY & BOSWORTH  **BOROUGH COUNCIL**

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Curson Builders
102 High Street
Earl Shilton
Leicestershire
LE9 7DG

Name and Address of Agent (if any)
Cliffords Building Surveyors
1 Nottingham Road
Borrow On Soar
Leics
LE12 8HZ

Part I - Particulars of Application

Date of Application	**Application No.**
19 October 2007	07/01228/FUL

Particulars and location of development :

ERECTION OF 4 NO. APARTMENTS (RESUBMISSION)

102 High Street Earl Shilton Leicester Leicestershire LE9 7DG

Part II - Particulars of decision

SUMMARY OF DECISION - The proposal is in conformity with Policies BE1, REC3, 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 development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and agreed in writing by the Local Planning Authority. The approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

3. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed developments 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.

4. No 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
   (ii) hard surfacing materials
   (iii) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.)
   (iv) proposed and existing functional services above and below ground (e.g. drainage, pipelines, manholes, supports, etc.)
   (v) planting plans
   (vi) written specifications

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

(vii) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
(viii) implementation programme.

5. The development hereby permitted shall not commence until drainage plans for the disposal of surface and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

6. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

7. 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 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 site first being occupied.

8. No development approved by this permission shall be commenced until such a time as a scheme for the monitoring of landfill gas has been submitted to and approved in writing with the Local Planning Authority. The development and monitoring of landfill gas shall be carried out in accordance with agreed details.

9. The development hereby permitted shall not commence before the provision and maintenance of off-site open space or facilities whether by off-site physical provision or financial contributions as required in accordance with policy REC2 and REC3 of the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide has been secured in such a manner as is approved in writing by the Local Planning Authority.

10. No walls, planting or fences shall be erected or allowed to grow on the Highway boundary exceeding 0.9 metres in height above the level of the adjacent carriageway.

11. Before the first use of the development hereby permitted, a visibility splay of 2.4m by the maximum achievable across the site frontage within the land in the control of the applicant shall be provided to the north east of Marys Street junction with High Street. This shall be in accordance with the standards contained within the current County Council design guide and shall be so maintained in perpetuity. Nothing shall be allowed to grow above a height of 0.9 metres above ground level within the visibility splay.

12. The cycle parking provision as shown on plan 6013/RES received 19.10.07 shall be installed in accordance with details to be submitted to and approved by the Local Planning Authority and shall be kept available for use in perpetuity.

The reasons for the conditions are :-

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To safeguard amenities of neighbouring properties to accord with policy of the adopted Hinckley & Bosworth Local Plan.

3. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

4. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

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5. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

6. To protect the environment and ensure that the redevelopment site is reclaimed to an appropriate standard.

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8. The site lies near to a previous land fill site, to ensure that the site is reclaimed to an appropriate standard.

9. To ensure the provision of adequate play an d open space within the vicinity of the site in accordance with Policy REC3.

10. To ensure that an adequate line of vision is available in the interests of road safety to accord with policy T5 of the Hinckley and Bosworth Local Plan.

11. To ensure that an adequate line of vision is available in the interests of road safety to accord with policy T5 of the Hinckley and Bosworth Local Plan.

12. In the interests of sustainability of the development and to encourage alternative transport choices.

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. This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

4. Surface water should be discharged to a soakaway, subject to satisfactory ground conditions. Access drives, parking and turning areas should be constructed in a pervious paving system, with or without attenuation storage, depending on ground strata permeability.

5. In relation to condition advice from Health and Environment Services is attached to this decision notice. I would draw your attention to the Borough Council's policy on the investigation of land contamination details of which can be obtained from Health and Environment Services (telephone: 01455 255684). Any scheme submitted shall be in accordance with this policy.

6. All work within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager - (telephone 01455 287202)

7. Condition 9 refers to public open space. In accordance with the Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide public open space should be provided either on site, or a contribution made towards off-site provision. In this instance a contribution of £4964 is required towards the provision of off-site public open space.

Date:- 2 January 2008

PETER CASH
PROPER OFFICER OF THE COUNCIL

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