

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Discharge of Conditions

DoC Decision Notice Condition Not Discharged

Avant Homes Midlands
1 Phoenix Place
Phoenix Centre
Nottingham
NG8 6BA

Details of Application:

Application Ref: 24/00893/DISCON

Proposal: Application to discharge conditions 14 (Site Levels)) on appeal decision APP/K2420/W/23/33217670, relating to application 22/00192/OUT

Location: Land Opposite Spring Acre Lychgate Lane Burbage

The details submitted have been considered by the Local Planning Authority and are not acceptable. The condition remains **UN-DISCHARGED for reasons detailed below.**

Condition 14

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

Received 27 November 2024

C14 Topographic Plan existing levels 37126 - T Rev O

Received 17 December 2024

C14 E323-10-01F ENGINEERING LAYOUT-A1C14 E323-90-01 E EXTERNAL WORKS AND PRIVATE DRAINAGE-A

C14 E323-90-01 E EXTERNAL WORKS AND PRIVATE DRAINAGE-A

Reason: The LPA requested consistency of the key and data on the plans, to provide the open space area and questioned a significant change in level. These details were not submitted therefore the LPA are not in receipt of satisfactory plans that demonstrated that the development will have a satisfactory appearance and in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Where conditions re-main UN-DISCHARGED these can either be appealed or a new application submitted with revised details that address the reasons why the condition has not been discharged.

C. Brown.

Date: 3 July 2025

Christopher Brown MRTPI
Head of Planning

Note to Applicant

If you are aggrieved by the decision of the Local Planning Authority to refuse permission, you may appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. If your appeal is against a Minor Commercial Development, we would advise you to view the guidance on the Planning Portal website under Procedure Guidance, to confirm the time frame for appealing. (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 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 any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of 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, 14 October 2004 must be made within six months of the date of this notice. If you intend to submit an appeal that you would like examined by inquiry then you must notify your Local Planning Authority (planning@hinckleybosworth.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found on GOV.UK.

Alternatively, an application can be submitted once the details requested are ready in full to be submitted. A new application and fee will apply. Once received the application will be re-considered with the new supporting documentation provided.