

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Approval of Reserved Matters

Name and Address of Applicant

Mr Stuart Pearson
Lagan Homes
Finance House
Beaumont Road
Banbury
OX16 1RH
United Kingdom

Name and Address of Agent (if any)

Sarah MacPherson
Marrons
Waterfront House
Waterfront Plaza
35 Station Street
Nottingham
NG2 3DQ

Part I - Particulars of Application

Date of Application

13 May 2024

Application No.

24/00461/REM

Particulars and location of development :

Approval of Reserved Matters (appearance, landscaping, layout and scale) for outline application 22/00648/OUT for residential development of up to 75 dwellings alongside associated site infrastructure and open space and discharge of condition 2.

Land South Of Markfield Road Ratby Leicestershire

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).

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 general accordance with the submitted application details, as follows:
 - Site Location Plan 0201 D5 P1 received 13 May 2024
 - Site Layout Plan 0230 D5 P3 received 18 December 2024
 - Detailed Landscape Plan 0009-0012-P08 received 18 December 2024

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

- Open Space Provision Plan 10783-FPCR-XX-XX-DR-L-0008 P09 received 18 December 2024
- Grass Provision Plan 10783-FPCR-XX-XX-DR-L-0016 P03 received 18 December 2024
- External Materials and Boundary Treatment Plan 0231 D5 P3 received 18 December 2024
- Surfacing Materials Plan 0232 D5 P3 received 18 December 2024
- Affordable Tenure Plan 0233 D5 P3 received 18 December 2024
- Refuse Management Plan 0234 D5 P3 received 18 December 2024
- Parking Strategy Plan 0235 D5 P3 received 18 December 2024
- Garden sizes Plan 0236 D5 P3 received 18 December 2024
- EV Charging Plan 0237 D5 P3 received 18 December 2024
- PV Plan 0238 D5 P3 received 18 December 2024
- Bushmills Housetype and Elevations 0105 D5 P2 received 13 May 2024
- Killykeen Housetype and Elevations 0106 D5 P2 received 13 May 2024
- Enfield Side Patio Housetype and Elevations 0109 D5 P3 received 29 October 2024
- Enfield Rear Patio Housetype and Elevations 0110 D5 P3 received 29 October 2024
- Tollymore Side Patio Housetype and Elevations 0111 D5 P3 received 29 October 2024
- Greencastle Housetype and Elevations 0113 D5 P3 received 29 October 2024
- Hollymount Housetype and Elevations 0114 D5 P2 received 13 May 2024
- Castletown Housetype and Elevations 0115 D5 P3 received 29 October 2024
- Knightstown Housetype and Elevations 0116 D5 P2 received 13 May 2024
- Kinnegad Housetype and Elevations 0117 D5 P3 received 29 October 2024
- Palmerstone Housetype and Elevations 0118 D5 P3 received 29 October 2024
- Cavan Housetype and Elevations 0119 D5 P2 received 13 May 2024
- Cookstown Housetype and Elevations 0122 D5 P2 received 13 May 2024
- Cavan FH Housetype and Elevations 0123 D5 P2 received 13 May 2024
- Aff1B Maisonette Housetype and Elevations 0124 D5 P2 received 13 May 2024
- Carlow Housetype and Elevations 0127 D5 P2 received 13 May 2024
- Cavan SO Housetype and Elevations 0128 D5 P2 received 13 May 2024
- Cavan SO_R Housetype and Elevations 0129 D5 P2 received 13 May 2024
- Lettermore Housetype and Elevations 0135 D5 P1 received 29 October 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 DPD (2016).

2. 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 Local Planning Authority. The LEMP shall include the following details:
 - A. description and evaluation of the features to be created/enhanced
 - 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 enhance the ecological value of the development hereby approved in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and the requirements of the NPPF.

3. Prior to the first occupation of each of the residential units hereby granted permission, the parking and turning facilities for each dwelling shall have been implemented in accordance with McBains drawing numbers LWRAT MCB ZZ ZZ DR A 0235 D5 Rev. P3 (Parking Strategy Plan) and LWRAT MCB ZZ ZZ DR A 0232 D5 Rev. P3 (Surface Materials Plan). 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 accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

4. Prior to the first occupation of each of the residential units hereby granted permission, 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive serving each plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

5. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

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

7. No development shall take place until a scheme for the treatment of the Public Right of Way (R50) has been submitted to and approved in writing by the Local Planning Authority. A scheme shall include management during construction (including proposed temporary route(s)); ensuring plans reflect the correct legally-recorded

PRoW alignments; and any new construction works. Physical construction should address width, surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments in accordance with the principles set out in the Leicestershire County Council's adopted guidance on Development and Public Rights of Way. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

Reason: To ensure layout and design quality of the scheme in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2016 and to ensure the Public Right Way of Way is appropriately provided and treated in accordance with the Leicestershire County Council's adopted guidance on Development and Public Rights of Way and the requirements of the NPPF.

8. No development shall commence until a scheme for the provision of Children's Equipped Play Space and LAP on site is submitted to and approved in writing by the local planning authority. The scheme shall include the number and type of play equipment items, their design, materials, surfaced path details to the LEAP and a timeframe for implementation. The scheme shall be implemented in accordance with the agreed details.

Reason: To ensure satisfactory and appropriate provision of on-site play space in accordance with Policy 19 of the Core Strategy and the requirements of the NPPF.

9. Notwithstanding the details as submitted, a refuse plan shall be submitted to and approved in writing by the local planning authority prior to any above ground development. The plan shall make provision for waste and recycling storage and collection across the site. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

Reason: To ensure the bin collection points on site are accessible for refuse collectors and not detrimental to the overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. Prior to above ground construction for the development hereby permitted a lighting scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details for low level lighting for private drives, courtyard areas and a timeframe for implementation/delivery. The lighting shall be installed in accordance with the agreed details.

Reason: To help improve safety, reduce the fear of crime and to help protect the appearance of the area in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

Date:- 23 January 2025



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, 5th 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

A Borough to be proud of

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

A Borough to be proud of

Development Details

Planning application ref:	24/00461/REM
Proposal:	Approval of Reserved Matters (appearance, landscaping, layout and scale) for outline application 22/00648/OUT for residential development of up to 75 dwellings alongside associated site infrastructure and open space and discharge of condition 2.
Site Location:	Land South Of Markfield Road Ratby Leicestershire

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