Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Mr M.O. & Y.A Waka & Mahomed
71 St Barnabas Road
Leicester
LE5 4BE

Name and Address of Agent (if any)
Jayesh Vaja
1078A Melton Road
Syston
Leicester
Leicestershire
LE7 2NN

Part I - Particulars of Application

Date of Application	**Application No.**
25 June 2008	08/00659/OUT

Particulars and location of development :

ERECTION OF 2 NO. DWELLINGS

Land at side of No. 3 Rutland Avenue Hinckley Leicestershire LE10 0QH

Part II - Particulars of decision

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or the appearance of the surrounding area or the living conditions of the neighbouring residents or highways safety.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, REC3, T5 and SPG on New Residential Development

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. Application for the approval of reserved matters shall be made within three years from the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

2. Approval of the following details (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced:

   i) The landscaping of the site including treatment of private and public space to enhance or protect the site's amenity through hard and soft measures.

   The development shall be implemented in accordance with the approved details. There shall be no amendments or variations to the approved details unless otherwise agreed in writing by the Local Planning Authority.

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3. This permission relates to the application as revised by amended plan 07/262/12/ B and 07/262/14/Rev A received by the Local Planning Authority on 4 August 2008.

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

5. The car parking facilities shown within the curtilage of each dwelling shall be provided before the dwelling is first occupied, shall be surfaced in a hardbound material and shall thereafter permanently remain available for such use unless otherwise agreed in writing by the Local Planning Authority.

6. Before first occupation of the dwellings hereby permitted, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the accesses with nothing within those splays higher than 0.6 metres above ground level and shall be so maintained in perpetuity, where in the control of the applicant.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order l995 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1 Classes A, B, C, D and E shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

8. 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.

9. No gates shall be erected to the vehicular accesses.

10. The obscure glazed windows shown on the approved plan shall be provided and thereafter so retained.

11. 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 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.

The reasons for the conditions are :-

1. To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

2. To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

3. To define the permission.

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

5. In the interests of road safety to accord with policy BE1 of the Hinckley & Bosworth Local Plan.

6. In the interests of road safety to accord with policy BE1 of the Hinckley & Bosworth Local Plan.

7. To safeguard amenities of neighbouring properties to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

8. To ensure the development is compatible with the character and appearance of the existing streetscene, in accordance with the requirements of policy BE1 of the Adopted Hinckley and Bosworth Local Plan.

9. To prevent vehicles having to wait within the highway whilst any gate is opened to allow access, in the interest of highway safety and the requirements of policy BE1 of the Adopted Hinckley and Bosworth Local Plan.

10. To ensure that the development is not detrimental to the privacy and amenity of the neighbouring property, to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

11. To ensure the provision of Play and Open Space to accord with policies REC3 of the adopted Hinckley and Bosworth Local Plan.

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. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. The suitability of the ground for soakaways should be ascertained by using the test in B R E Digest No. 365 before development is commenced. The porosity test and soakaway design requires the approval of the Building Control Section. The soakaway must be constructed using concrete ring sections with a liftable cover or other approved materials to the satisfaction of the Local Authority.

5. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (01530 262380)

6. In accordance with the adopted 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 £1, 241 per dwelling is required towards the provision of off-site public open space. This can be provided by a one off payment or secured by the completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

7. The approved plans relevant to this decision are: 07/262/12/B and 07/262/14 Rev A.

8. 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.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 22 August 2008