Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant	**Name and Address of Agent (if any)**
Mr G Pearson	Savage Hayward
105 Sapcote Road	19 Station Road
Burbage	Hinckley
Leicestershire	Leicestershire
LE10 2AT	LE10 1AW

Part I - Particulars of Application

Date of Application	**Application No.**
31 January 2008	08/00102/FUL

Particulars and location of development :

DEMOLITION OF EXISTING RETAIL PREMISES AND BUNGALOW AND ERECTION OF 10 DWELLINGS

The Bungalow 47 Hinckley Road Burbage Hinckley Leicestershire

Part II - Particulars of decision

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1, RES5, T5 and REC3 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. 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.

3. 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.

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

5. 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.

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6. 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.

7. 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.

8. 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) car parking layouts
   (iii) other vehicle and pedestrian access and circulation areas.
   (iv) hard surfacing materials
   (v) minor artefacts and structures (e.g. details of refuse or other storage units and access and car park lighting)
   (vi) planting plans
   (vii) written specifications
   (viii) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
   (iv) implementation programme.

9. The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. 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 or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

10. Notwithstanding the submitted details, before the commencement of development, details of all means of enclosure and boundary treatments shall be submitted to and agreed in writing by the Local Planning Authority and the development shall be implemented in accordance with the approved details. This shall include a 1.8 metre high wall between the application site and 49 Hinckley Road.

11. 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 to E shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

12. This permission relates to the application as revised by amended plan 05/60/02D received by the Local Planning Authority on 7th April 2008.

13. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 10 metres behind the highway boundary and shall be hung so as to open inwards only.

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

15. Prior to the commencement of development, the existing vehicular access to Hinckley Road shall be closed permanently and the existing vehicular crossings reinstated in accordance with a scheme that has been submitted to the Local Planning Authority in consultation with the Highway Authority and agreed in writing. The development shall then be implemented in accordance with the approved scheme.

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16. Before first occupation of the dwelling hereby permitted, its access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.

17. Notwithstanding the submitted details, any shared private drive serving more than 5 but no more than 25 dwellings shall be a minimum of 4.8 metres wide for at least the first 5 metres behind the Highway boundary and have 6 metre control radii at its junction with the adopted road carriageway. The access drive once provided shall be so maintained at all times.

18. The obscured glazing as shown on approved plan 05/60/02D shall be inserted before first occupation of the dwelling and retained at all times thereafter. These windows shall only have an opening top light and no further windows may be inserted in the northern and eastern elevations.

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

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

4. To ensure the development is provided with 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 to accord with Policy NE14 of the adopted Hinckley and Bosworth Local Plan.

5&6. To ensure the safe development of the site and to protect amenities of future occupiers of the development to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

7. 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.

8. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy NE12 of the adopted Hinckley & Bosworth Local Plan.

9. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy NE12 of the adopted Hinckley & Bosworth Local Plan.

10. In the interests of visual amenity to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

11. To ensure that the development is not detrimental to the privacy and amenity of the neighbouring property and in the interests of visual amenity to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

12. To define the permission.

13. To enable a vehicle to stand clear of the highway to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan.

14. To ensure that adequate off-street parking facilities are available to accord with policy T5 of the adopted Hinckley & Bosworth Local Plan.

15. To reduce the number of vehicular accesses to the site and consequently to reduce the number of potential conflict points to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

16. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc) to accord with Policy T5 of the adopted Hinckley & Bosworth Local Plan.

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17. To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

18. 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.

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 applicant is advised that a similar palette of natural materials as used in the adjacent Leys development will be expected to discharge the standard materials condition.

5. Condition 3 refers to play and open space contribution. In this instance a contribution of £1,241 per dwelling is required towards the provision and maintenance of off-site Public Open Space.

6. With regards to condition 4, drainage details should incorporate sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.

7. In relation to condition 5 and 6 advice from Environment Services is attached to this decision notice which includes the Borough Council's policy on the investigation of land contamination. Any scheme submitted shall be in accordance with this policy.

8. With regards to condition 15 the scheme shall include a timetable for the closure of the existing access and the opening of the new access.

9. With regards to condition 16, if the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

10. 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 - (telephone 01455 287202).

11. The existing school warning sign associated flashing amber unit along with the adjacent lamp column will need relocating as a consequence of the access works. All works shall be carried out entirely at the expense of the applicant, who shall first obtain the separate consent of the highway authority.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 1 May 2008