Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
David Wilson Homes
Forest Business Park
Cartwright Way
Bardon Hill
Leicestershire
LE67 1GL

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application	**Application No.**
8 September 2008	08/00884/FUL

Particulars and location of development :

RESIDENTIAL DEVELOPMENT COMPRISING 12 NO. APARTMENTS AND 8 NO. DWELLINGS WITH ASSOCIATED ACCESS, CAR PARKING AND GARDENS

Mill Hill Business Centre 5 Mill Hill Road Hinckley Leicestershire

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 and would not be to the detriment of highway safety, residential amenity or the character of the surrounding area.

Hinckley & Bosworth Borough Council Local Plan (2001) :- IMP1, BE1, RES5, REC3, T5 and NE13

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 and apartments 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. Development shall not begin until a scheme for protecting the proposed dwellings and apartments from noise from adjacent commercial premises has been submitted to and approved by the Local Planning Authority; and all works which form part of the scheme shall be completed before any of the permitted dwellings are first occupied.

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

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4. No development approved by this planning permission shall be commenced until:
   a) A desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) of the site for all potential contaminant sources, pathways and receptors shall be produced.
   b) A site investigation has been designed for the site using the information obtained from the desk study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must enable a risk assessment to be undertaken relating to ground and surface waters both on and off the site which may be affected, and refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements.
   c) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been completed.
   d) A Method Statement detailing remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site. Prior to the commencement of main site works the approved remediation works shall be completed in accordance with the approved method statement to the satisfaction of the Local Planning Authority. Appropriate validation of the remedial scheme shall be submitted to the Local Planning Authority for written approval.

5. Before the first occupation of any apartment hereby permitted, the bin store shall be constructed and made available for use, with the doors hung to open outwards only, in accordance with drawing S2237/100/01 Rev E received by the local planning authority on 13 November 2008. The bin store shall be maintained for the storage of bins and recycling provision thereafter.

6. Before the first occupation of any apartment hereby permitted, the cycle store shall be constructed and made available for use, in accordance with drawings T234.03 and T234.04 received by the local planning authority on 8 September 2008. The cycle store shall be maintained for the storage of cycles thereafter.

7. No development shall commence until a scheme for the lighting of the site, including vehicle and pedestrian areas, has been submitted to and agreed in writing by the local planning authority. The agreed lighting scheme shall be fully implemented before the first occupation of any dwelling or apartment permitted and shall be maintained thereafter.

8. Before any development commences, representative samples of the types and colours of materials to be used on the surfacing of the access, roadways, turning and parking areas and pedestrian ways 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.

9. Before the first occupation of any dwelling or apartment hereby permitted, the vehicular access, pedestrian access points and all roadways, turning areas and parking spaces shall be laid out in accordance with the approved details and maintained thereafter.

10. No development shall commence until details of the boundary treatments to the site have been submitted to and agreed in writing by the local planning authority. The agreed boundary treatments shall then be fully implemented before the first occupation of any dwelling or apartment hereby permitted and shall be maintained thereafter.

11. No development shall take place until details of landscaping to the site, have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

    i) planting plans
    ii) written specifications
    iii) schedules of plants and trees, noting species, plant sizes and proposed numbers/densities
    iv) implementation programme

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12. 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.

13. No gates shall be erected to either the vehicular access to Cleveland Road or to pedestrian access to Mill Hill Road.

14. No development shall commence until a plan showing the inclusion of chimney stacks to plots 1-4 hereby permitted has been submitted to and agreed in writing by the local planning authority. Plots 1-4 shall then be constructed with chimney stacks in accordance with the approved details.

15. No development shall commence until surface water drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved by the local planning authority. The approved scheme shall be fully implemented prior to the occupation of any dwelling or apartment.

16. All existing dropped vehicular crossings no longer used by vehicular traffic shall be closed permanently closed within one week of the new access being brought into use and the crossings reinstated to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.

17. Notwithstanding the submitted details, before first use of the development hereby permitted, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the Highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above ground level, in accordance with the current standards of the Highway Authority and shall be so maintained in thereafter.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order 2008 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1; Classes A, B, C; shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

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 protect the amenities of future occupiers of the residential units in accordance with policy NE2 of the Hinckley and Bosworth Local Plan.

4. To protect the environment of future occupiers of the site and the water environment in accordance with Policies BE1, NE2 and NE13 of the Hinckley and Bosworth Local Plan

5. To ensure satisfactory provision for waste management is made for the occupants of the apartments in accordance with the requirements of policy BE1 of the adopted Hinckley and Bosworth Local Plan.

6. To ensure satisfactory provision for the storage of cycles is made for the occupants of the apartments in accordance with the requirements of policy BE1 of the adopted Hinckley and Bosworth Local Plan.

7&8. In the interest of the amenities of the occupiers and to create a safe and secure development in accordance with the requirements of policy BE1 of the adopted Hinckley and Bosworth Local Plan.

9. To ensure vehicles can access the site, turn and park within the site, in the interests of highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

10. To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

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11&12. In the interests of visual amenity to accord with Policy NE12 of the adopted Hinckley and Bosworth Local Plan.

13. To allow vehicles to access the site without obstruction, in the interest of highway safety and to enable a pedestrian link to Mill Hill Road to be maintained, in the interest of residential amenity to accord with Policies BE1 and T5 of the adopted Hinckley and Bosworth Local Plan.

14. To ensure that the development assimilates with the surrounding character, in the interests of good design and in accordance with the requirements of Policy BE1 of the Adopted Hinckley and Bosworth Local Plan.

15. To ensure satisfactory provisions are made for the drainage of the site, in accordance with the requirements of policy NE13 of the Adopted Hinckley and Bosworth Local Plan.

16. To reduce the number of vehicular accesses to the site and consequently to reduce the number of potential conflict points, in accordance with intentions of Policy T5 of the Adopted Hinckley and Bosworth Local Plan.

17. In the interests of pedestrian safety and the intentions of Policy T5 of the Adopted Hinckley and Bosworth Local Plan.

18. To safeguard the amenities of the adjacent occupiers and to ensure that a adequate sized garden is maintained at the properties, in accordance with the requirements of Policy BE1 of the Adopted Borough of Charnwood 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 drainage should be provided within the site such that surface water does not drain into the Public Highway.

5. The approved plans relevant to this decision are: S2237/500/01, S2237/500/03, SH34.05, SH34.06, SH34.01, SH34.02, SH34.03, SH34.04, SB19.01, SB19.02, SB19.03, SB19.04, SB19.05, SB19.06, T234.03, T234.04 and S2237/100/001 Rev E.

6. 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.

7. 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 0113 052202).

8. This application is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 to provide financial contributions towards affordable housing, libraries, civic amenity, health facilities, police provision and play and open space.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 12 December 2008