Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant
Mr William Dawson
Dawson 2003 Trust
Unit 2
The Mews
Barton Road
Market Bosworth

Name and Address of Agent (if any)
Mr Richard Dunnett
Stoneleigh Planning
Kingsley House
63 Holly Walk
Leamington Spa
Warwickshire

Part I - Particulars of Application

Date of Application	**Application No.**
22 September 2008	08/00922/FUL

Particulars and location of development :

RELOCATION AND RETENTION OF STORAGE CONTAINERS

Land North Of 7 Nailstone Road Barton In The Beans 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 neighbouring amenity or the countryside location.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5 and T5

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. There shall be no storage of materials, plant or waste materials of any description on the open area of the site.

3. The use of the containers shall be for the storage of plant and machinery in connection with the use of the site as a builders yard only.

4. No sales shall be made to the general public from the site.

5. Notwithstanding the details submitted no development shall take place until full details of 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) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
(ii) implementation programme.

Continued 08/00922/FUL

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

6. The approved 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.

7. The gradient of the access drive shall not exceed 1:12 for the first 7 metres behind the highway boundary.

8. 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 7 metres behind the Highway boundary and shall be hung so as to open inwards only.

9. Before the development hereby permitted is brought into use, the hedge / ivy along No 7A's frontage to Barton Road shall either be reduced in height and maintained thereafter at a maximum of 0.9 metres above the level of the adjacent carriageway or removed entirely. Any new or replacement hedge shall not be set with, nor allowed to grow to a height exceeding 0.9 metres above the level of the adjacent carriageway and thereafter shall be so maintained.

10. Before first use of the development hereby permitted the access drive and any turning space shall be surfaced with porous hard bound material (not loose aggregate) for a distance of at least 7 metres behind the highway boundary and shall be so maintained at all times.

11. Before the development hereby permitted is first used, off-street car parking/lorry parking provision shall be made within the application site. Details of which shall be submitted to and agreed in writing by the Local Planning Authority. The parking area shall be surfaced, marked out prior to the development being brought into use and shall be so maintained at all times.

12. Notwithstanding the submitted plans, prior to commencement of development, a scheme for the boundary treatment of the site shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details.

The reasons for the conditions are :-

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

3. To ensure that the use is compatible with the surrounding area to accord with Policy BE1 of the Hinckley and Bosworth Local Plan.

4. To ensure that the use remains compatible with the surrounding area to accord with Policy BE1 of the Hinckley and Bosworth Local Plan.

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

6. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

7. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety to accord with Policy T5 of the Hinckley and Bosworth Local Plan.

8. To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway to accord with Policy T5 of the Hinckley and Bosworth Local Plan.

9. To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety to accord with Policy T5 of the Hinckley and Bosworth Local Plan.

Continued 08/00922/FUL

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

11. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area to accord with Policy T5 of the Hinckley and Bosworth Local Plan.

12. To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley & 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. 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).

   In order to provide the visibility splays to the west of the access it will be necessary to remove or reduce the height of the existing hedge in front of No 7A.

5. List of plans used in the determination of this application:-
   Location Plan REV A, LPA-1, LPA-2, LPA-3.

6. With regard to condition 5, the landscaping scheme shall consist of native species.

7. With regard to condition 12, the boundary treatment should refer to fencing to the southern, western and northern boundaries, either existing or proposed.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date:- 19 November 2008