HINCKLEY & BOSWORTH BOROUGH COUNCIL

Town and Country Planning Act 1990

OUTLINE PLANNING PERMISSION

Name and Address of Applicant
JS Bloor (Measham Ltd/JS Bloor (Tamworth) Ltd
C/o Agent

Name and Address of Agent (if any)
J S Bloor Services Ltd
Ashby Road
Measham
Swadlincote
Derbyshire

Part I - Particulars of Application

Date of Application	**Application No.**
19.03.03	03/00295/OUT

Particulars and location of development:

RESIDENTIAL AND ANCILLARY DEVELOPMENT INCLUDING PART OF THE EARL SHILTON BYPASS WITH INTERIM ACCESS ARRANGEMENTS AND ASSOCIATED WORKS RELOCATION OF EXISTING AGRICULTURAL BUILDINGS AND PRIVATE ACCESS ARRANGEMENTS

Land South Of Breach Lane Earl Shilton Leicester

Part II - Particulars of decision:

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1, REC3, RES1 (j) and T2 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 outline planning permission for the carrying out of the development referred to in Part I hereof, in accordance with the application and plans submitted, subject to the following condition(s) :-

1. Application for 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 whichever is the later of the following dates :

   a) Five years from the date of this permission; or

   b) Two years from the final approval of the reserved matters or in the case of approval of the last such matter 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 layout of the site including the way in which buildings, routes and open spaces are provided and the relationship of these buildings and spaces outside the development.
   ii) The scale of each building proposed in relation to its surroundings.
   iii) The appearance of the development including the aspects of a building or place that determine the visual impression it makes.
   iv) The access arrangements to and within the site for vehicles, cycles and pedestrians.
   v) 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.
   vi) The methods of disposal of surface and foul water drainage which shall be on separate systems.

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vii) The phasing of the development
viii) The levels of the proposed buildings and roads; in relation to the existing ground level and he finished levels of the site

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.

3. No development shall commence until the Local Planning Authority, in consultation with the Highway Authority, has certified in writing that the outcome of the Side Roads Order and Compulsory Purchase Order Inquiry for the bypass is satisfactory.

4. No development shall commence until details of the section of bypass to be constructed, including the right turning lane and visibility splays as well as the interim link to Station Road have been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority. The approved details shall be carried out as part of the development hereby approved.

5. Notwithstanding the submitted plan, no residential development shall commence until details of the proposed bund along the southern boundary of the site with the bypass has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved scheme shall be implemented as part of the development and prior to first occupation of any dwelling.

6. The residential estate shall be served from a single point of vehicular access to the bypass.

7. No residential developments shall commence until all existing vehicular accesses to Breach Lane have been permanently closed.

8. No residential units shall be occupied until the developers length of bypass has been completed to base course level.

9. No development shall commence until permission has been granted and land made available for the relocation of the Wilkinson Lane sewage pumping station.

10. No development shall commence until details of foul and surface water drainage arrangements including water attenuation structures have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out as part of the development hereby permitted.

11. There shall be no development within 5 metres of the top of the bank of the watercourse.

12. The recommendations of the Ecological Report prepared by FPCR, dated December 2003, shall be incorporated into the development of the site.

13. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

14. The approved landscaping scheme shall be carried out during the first appropriate planting season following the date when the proposed dwellings are first ready for occupation. The 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.

15. The open space areas agreed pursuant to Condition 2 (v) shall be laid out and made available for use prior to the first occupation of the dwellings to which they relate.

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The reasons for the conditions are :-

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

2. This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

3. To ensure proper access to the site in accordance with policy RES1(j) of the adopted Hinckley and Bosworth Local Plan.

4. To ensure compatibility with and so as not to prejudice the construction of the Earl Shilton Bypass in accordance with Policy T2 of the adopted Hinckley and Bosworth Local Plan.

5. To ensure a satisfactory form of development compatible with the design of the Earl Shilton Bypass and to protect the amenities of future residents of the site in accordance with Policies T2 and BE1 of the adopted Hinckley and Bosworth Local Plan.

6&7. In the interests of road safety to accord with policy BE1 of the Hinckley & Bosworth Local Plan.

8. In the interests of Highway Safety and public amenity.

9. To ensure compatibility with the Earl Shilton Bypass route.

10. To ensure satisfactory provisions are made for the drainage of the site.

11. To ensure access for maintenance purposes.

12. To ensure ecological interests are adequately protected.

13. To prevent pollution of the water environment.

14. 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.

15. To ensure adequate openspace is provided within the site to serve future residents in accordance with Policy 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. All details of the proposed development shall comply with the design standards of the Leicestershire County Council including it's web document "Highways Transportation and Development" and the Design Manual for Roads and Bridges. Such details must include full details of the developers length of bypass, and the temporary access road and traffic signal junction connecting it with Station Road parking and turning facilities, access widths, gradients, surfacing and visibility splays. The development shall be exactly compatible with the Leicestershire County Council's design for the Earl Shilton Bypass in its position direction, construction and layout. Suitable legal agreements will need to be entered into with Leicestershire County Council as Highway Authority before development commences.

4. In relation to Condition 5, it will be necessary to carryout a Noise Impact Assessment in accordance with PPG24 to ascertain the design of the bund. Although the submitted plan shows a bund 2metres high with a top width of 2metres, a height of 3metres with a top width of 4metres is generally proposed elsewhere along the bypass.

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5. The residential site layout should ensure that any future bus services off the bypass can be accommodated.

6. It is good practice to limit the number of future new junctions that may serve any further development off the bypass. The estate road layout should therefore be capable of extension west and north (including the possibility of The Oak lands), to obviate any necessary further junctions with the bypass.

7. There should be sufficient land for the principle access road serving the site from the bypass to be widened to the standard of a 7.3metre carriageway with footways, cycleways and verges.

8. A public bridleway crosses the site and this must not be obstructed or diverted without obtaining separate consent from Leicestershire County Council.

9. C.B.R. Tests shall be taken and submitted to the County Council's Area Manager prior to development commencing in order to ascertain road construction requirements. No work chall commence on site without prior notice being given to the Area Manager.

10. There may be a requirement to register water retaining structures with the County Council as the proposed development may be subject to the provisions of the Reservoir Act 1975. Contact with the County Solicitor for guidance/advice is recommended.

11. Signs should be erected indicating the status of private roads.

12. A Land Drainage Consent will be required from the Environment Agency for the realignment of the watercourse under the terms of the Land Drainage Act 1991.

RF Cab

Date :- 26.01.07

Proper Officer of the Council