

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Approval of Reserved Matters

Name and Address of Applicant

Company Name
Countryside Properties (UK) Limited t/a Vistry
South East
Penman House
1 Penman Way
Leicester
LE19 1SY

Name and Address of Agent (if any)

Mrs Olivia Hewitt
Vistry South East Midlands
Penman House
1 Penman Way
1 Penman Way
Leicester
LE19 1SY

Part I - Particulars of Application

Date of Application

17 May 2024

Application No.

24/00496/REM

Particulars and location of development :

Approval of reserved matters (appearance, landscaping, layout, scale) for 140 dwellings and associated infrastructure pursuant to 21/00135/OUT (Residential development for up to 140 dwellings, with public open space, landscaping and sustainable drainage system (SuDS) (Outline- access only)

Land North Of Hill Top Farm Hill Top Earl Shilton Leicestershire

Part II - Particulars of decision

In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

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 not be carried out otherwise than in complete accordance with the submitted application details, as follows:
C253 0200-P01 Location Plan
C253 0201-P09 Proposed Site - Development Only
C253 0202-P09 Proposed Site Plan - Full Site
C253 0203-P08 Proposed Site - Bin and Cycle Store Locations
C253 0204-P08 Proposed Site - Parking Bay Types
C253 0205-P08 Proposed Site - Boundary Treatments
C253 0206-P08 Proposed Site - Landscaping Plan
C253 0207-P07 Proposed Site - Facing Materials
C253 0209-P07 Proposed Site - Highways Plan
C253 0500-P05 Proposed Site - Garden Sizes
C253 0220-P05 B1 - Plans and Elevations

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

C253 0221-P05 B1 OP - Plans and Elevations
 C253 0222-P04 B1 Semi A- Plans and Elevations
 C253 0223-P04 B3 Semi - Plans and Elevations
 C253 0224-P03 B3 Semi A - Plans and Elevations
 C253 0225-P04 B3 Semi B - Plans and Elevations
 C253 0226-P04 B3 Terrace - Plans and Elevations
 C253 0227-P04 B5 Semi - Plans and Elevations
 C253 0228-P03 B5 Semi A - Plans and Elevations
 C253 0229-P03 B5 Semi B - Plans and Elevations
 C253 0230-P05 B5 Semi C - Plans and Elevations
 C253 0233-P04 Curlew Semi - Plans and Elevations
 C253 0234-P06 Jackdaw Semi - Plans and Elevations
 C253 0235-P05 Jackdaw Kingfisher Semi - Plans and Elevations
 C253 0236-P05 Jackdaw Kingfisher A Semi - Render - Plans and Elevations
 C253 0237-P04 Jackdaw Kingfisher Semi Op Semi - Plans and Elevations
 C253 0238-P04 Jackdaw Kingfisher A Op Semi - Render - Plans and Elevations
 C253 0240-P04 Plover - Plans and Elevations
 C253 0241-P04 Plover A - Plans and Elevations
 C253 0242-P04 Plover OP - Plans and Elevations
 C253 0243-P04 Plover A OP - Plans and Elevations
 C253 0244-P02 Dahlia Semi - Plans and Elevations
 C253 0245-P02 Dahlia Semi A Plans and Elevations
 C253 0246-P03 Jackdaw Semi B - Plans and Elevations
 C253 0247-P02 B3 Semi C - Plans and Elevations
 C253 0248-P02 B5 Semi D - Plans and Elevations
 C253 0250-P02 Single Garage - Plans and Elevations
 C253 0251-P01 Kingfisher A - Plans and Elevations
 C253 0252-P02 Jackdaw 3 Terrace - Plans and Elevations
 C253 0254-P01 Kingfisher A OP - Plans and Elevations
 C253 0255-P02 B3 Semi D - Plans and Elevations
 C253 0256-P02 Jackdaw Semi C - Plans and Elevations
 24000-102C Drainage Strategy-1 of 2
 24000-103B Drainage Strategy-2 of 2
 24000-190 S184 Detail Plan
 24000-200C Refuse Tracking (1 of 2)
 24000-201C Refuse Tracking (2 of 2)
 24000-202A Visibility Splays (1 of 2)
 24000-203A Visibility Splays (2 of 2)
 4519_14A LEMP
 4519_12 Update eco assessment
 4519_13_Reptile Mitigation Strategy
 4519_15_Badger Mitigation Strategy
 Existing Ditch Drainage Note - Leicester Rd Earl Shilton V2

Reason: To ensure a satisfactory form of development and satisfactory external appearance in accordance with Policies DM1, DM6, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. No development shall commence until a scheme of soft landscaping works, for the site, including an implementation scheme, has been submitted to and approved in writing by the local planning authority. The soft landscaping scheme shall be in general accordance with the approved C253 0206-P08 Proposed Site- Landscaping Plan' and shall include additional soft landscaping in the parking areas for plots 43-46 and 73-77 and screening landscaping for the pumping station.

Thereafter the development shall be carried out in full accordance with the approved landscaping scheme. 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.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 22 of the Earl Shilton and Barwell Area Action Plan (2014).

3. No development shall commence until full details of the equipment (including seating and bins), boundary treatments and hard surfacing in the public open space has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented and maintained in accordance with the approved details.

Reason: To ensure that the development has a satisfactory external appearance and provides satisfactory green space and play provision in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy 19 of the Core Strategy (2009) and Policy 22 of the Earl Shilton and Barwell Area Action Plan (2014).

4. No development shall commence above Damp Proof Course level, until full details of the pumping station has been submitted in writing to and approved in writing by the local planning authority. Thereafter the development shall be implemented and maintained in accordance with the approved details.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 22 of the Earl Shilton and Barwell Area Action Plan (2014).

5. No development shall commence above Damp Proof Course level, until full details of the substation, including brick and roof tile materials to match the proposed dwellings, have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented and maintained in accordance with the approved details.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 22 of the Earl Shilton and Barwell Area Action Plan (2014).

6. No development above foundation level shall commence on site until full details (including representative brick, render and roof tile samples) of the types and colours of materials to be used on the external elevations of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The submitted details shall accord with the materials set out in C253 0207-P07 Proposed Site - Facing Materials. The scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 22 of the Earl Shilton and Barwell Area Action Plan (2014).

7. Prior to first occupation of the development hereby permitted, a landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter landscape management shall be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out within a reasonable period and thereafter maintained in a suitable manner, in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwellings or the provision of buildings etc incidental to the enjoyment of the dwellinghouses shall be carried out to/on Plots 11, 12, 13, 42, 43, 44, 45, 46, 48, 49, 50, 51, 59, 60, 78, 80, 81, 82, 100, 101, 102, 103, 104, 105, 106, 107, 134, 135, 136, 137, 138 unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To protect the character of the surrounding area and to safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes F of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional hard surfacing shall be carried out between the highway (including private driveways) and front elevations of Plots 16, 17, 18, 19, 41, 42, 43, 44, 45, 46, 49, 50, 51, 59, 60, 65, 66, 67, 68, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 92, 93, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 122, 123, 124, 125, 128, 129, 130, 133, 134, 135, 136, 137, 138, 139, 140 unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To protect the character of the surrounding area in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. The dwellings hereby permitted shall not be occupied until such time as their respective parking and turning facilities have been implemented in accordance with BRP drawing numbers C253-BRP00-00-DR-A-0204 Rev P08 and C253-BRP-00-00-DR-A-0201 Rev P09. The parking and turning areas as well as private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (December 2024).

11. No dwelling hereby permitted shall be occupied until such time as the associated highway arrangements and internal layout shown on Mucklow & Harris drawing numbers 24000202 Rev A and 24000-203 Rev A have been implemented in full. Visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To ensure that vehicles on site may pass each other in a slow and controlled manner, to afford adequate visibility to cater for the expected volume of traffic and in the interests of general highway safety in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (December 2024).

12. No dwelling hereby permitted shall be occupied until such time as 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive serving the associated plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (December 2024).

13. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (December 2024).

NOTES TO APPLICANT :-

1. Leicestershire Police recommend CCTV is installed at the key vehicle entry point. Number plate recognition capability is recommended, and appropriate data compliance signage would be required.

2. Leicestershire Police recommend a section 38 agreement to allow an electrical spur at the nearest lamppost to the entry point. This could support the position of CCTV coverage as well as benefitting from appropriate illumination. Consideration of CCTV coverage of this key position should be made at an early stage of this proposed development due to its size and scale.

C. Brown.

Christopher Brown MRTPI
Head of Planning

Date : 17 December 2024

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months (see para 2a below) of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/appeal-planning-decision>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that the permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to the directions given under the order. He does not in practice refuse to entertain appeals solely because the decision by the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 5th September 2003 must be made within six months of the date of this notice.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice>.
5. If permission to develop land is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. This permission covers only consent under the Town and Country Planning Acts and does not give permission to demolish a Listed Building, for which separate consent is required. Amongst other things the consent of the Council of the district in which the land is situated may be required under the Building Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences or hedges) the separate consent of the Highway Authority may also be required. Steps to obtain the necessary further consents should be taken before proceeding with the development.

SHOPS, OFFICES, FACTORIES, EDUCATIONAL BUILDINGS & BUILDINGS TO WHICH THE PUBLIC ARE TO BE ADMITTED : ACCESS AND PROVISION FOR THE DISABLED PERSONS

- 1 The Local Planning Authority is required to bring to your attention the requirements of the Disabled Persons 1981, Building Regulations 1991 "Access and facilities for Disabled People" document M and the Chronically Sick & Disabled Act 1970 (as amended 1976) (Sections 4.7.8 and 8A) requiring the provision of access facilities, car parking and toilets for the disabled and the provision of signing indicating what provision has been made for disabled persons within the building. Your attention is also drawn to the Code of Practice B.S 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, B.S. 5810 : 1979, "Access for the Disabled to buildings" available from the British Standards Institution, 2 Park Street, London W1A 2BS. (Tel 071-629-9000) and (in so far as educational buildings are concerned), to Design Note 18 "Access for the Physically Disabled to Educational Buildings."
- 2 The buildings to which these requirements apply are :-
 - a) Buildings to which the public are to be admitted to which Section 4 of the Chronically Sick & Disabled Act 1970 (as amended 1976) applies.
 - b) Offices, Shops & Railway Premises as defined in the Offices, Shops & Railway Premises Act 1963 or premises deemed to fall within the Act.
 - c) Factories as defined by Section 175 of the Factories Act 1961.
Educational Buildings as defined by Section 29B of the Disabled Persons Act 1981.

PPNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

Start Notice

Important Information – Please keep this with your decision notice

Please read the above decision notice carefully and ensure that you understand and comply with the requirements of any planning conditions imposed.

If you require any further information about why a particular planning condition has been imposed or in respect of what information is needed to discharge your condition please contact the case officer who will be happy to advise of the requirements and information required.

We carry out a programme of site monitoring to check compliance with conditions in order to proactively manage the development and to ensure development is carried out in accordance with the planning permission granted.

Please ensure that any application for the discharge of pre-commencement conditions are carried out in a timely manner as this may take up to 8 weeks depending on the requirements of the condition. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple planning conditions. The fee for discharging these pre-commencement conditions, can be found on the [planning portal](#).

We would be grateful if you could email the development address and application reference number with your contact details and the intended start date by email to planning@hinckley-bosworth.gov.uk or complete the form on the reverse.

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk



Hinckley & Bosworth
Borough Council

Development Details

Planning application ref:	24/00496/REM
Proposal:	Approval of reserved matters (appearance, landscaping, layout, scale) for 140 dwellings and associated infrastructure pursuant to 21/00135/OUT (Residential development for up to 140 dwellings, with public open space, landscaping and sustainable drainage system (SuDS) (Outline- access only)
Site Location:	Land North Of Hill Top Farm Hill Top Earl Shilton Leicestershire

Date when work is intended to start:	
Have all pre-commencement conditions been discharged?	
Signed:	Print Name:

Your contact details (or attach letterhead/business card):

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk