

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Mr R Jeffcoate
Onyx Rose
C/o Agent

Name and Address of Agent (if any)

Zoe Massey
Hayward Architects Ltd
19 Station Road
Hinckley
LE10 1AW

Part I - Particulars of Application

Date of Application

19 July 2022

Application No.

22/00695/HYB

Particulars and location of development :

Hybrid planning application comprising: Outline application (access, appearance and scale to be considered) for the demolition of existing factory building and erection of a residential building comprising up to 12 residential units; a Full application comprising the change of use of the existing factory building to residential including the addition of an extra storey and comprising 14 residential units

Factory Units 23 Wood Street Hinckley Leicestershire LE10 1JQ

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 to which the FULL planning permission relates hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development to which the FULL planning permission relates shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Street Elevations - 19/28 06d - received 15/06/2023
- Building B Proposed Floor Plan- 19/28 19b- received 14/06/2023
- Building B Proposed Elevations- 19/28 20b- received 14/06/2023
- Concept Site Layout- 19/28 05h- received 16/03/2023
- Location Plan- 19/28 16a- received 19/07/2022

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

3. No development associated with the OUTLINE element of the consent shall commence until details of layout and landscaping (hereafter call the reserved matters) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved reserved matters.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

4. Application for approval of reserved matters shall be made within three years of the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

5. The development to which the OUTLINE planning permission relates shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Buildings A & C Proposed Elevations- 19/28 18a- received 14/06/2023
- Concept Site Layout- 19/28 05h- received 16/03/2023
- Location Plan- 19/28 16a- received 19/07/2022

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

6. No more than 26 residential units shall be constructed on the site.

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

7. No development associated with the OUTLINE element of the consent shall commence until full details of the finished levels, above ordnance datum, of the ground floors of the proposed building in relation to existing ground levels have been submitted to and approved in writing by the Local Planning Authority. The details shall be provided in the form of site plans showing sections across the site at regular intervals with the finished floor levels of the proposed buildings and adjoining buildings. The development shall be carried out in accordance with the approved levels.

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

8. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016).

9. No part of the development shall be occupied until such time as the offsite works to widen the existing access, and widen the footway on Wood Street, shown indicatively on Hayward Architects drawing number 05 Rev F, have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

10. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Hayward Architects drawing number 05 Rev F have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

11. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Hayward Architects drawing number 05 Rev F. 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

Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

12. No development above foundation level, to which the FULL planning permission relates, shall commence until a scheme for the installation of electric vehicle charging points is submitted to and approved in writing by the Local Planning Authority. The scheme shall identify the number of units to benefit from electric vehicle charging points, together with full detail of the location and fitting of the units.

Reason: To ensure that the proposals meet the requirements of Policy DM10(g) of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 116(e) the National Planning Policy Framework (2023).

13. No development above foundation level, to which the OUTLINE planning permission relates, shall commence until a scheme for the installation of electric vehicle charging points is submitted to and approved in writing by the Local Planning Authority. The scheme shall identify the number of units to benefit from electric vehicle charging points, together with full detail of the location and fitting of the units.

Reason: To ensure that the proposals meet the requirements of Policy DM10(g) of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 116(e) the National Planning Policy Framework (2023).

14. The development associated with the FULL element of this consent shall not be occupied until such time as secure (and under cover) cycle parking has been provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the cycle parking shall be maintained and kept available for use.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

15. The development associated with the OUTLINE element of this consent hereby permitted shall not be occupied until such time as secure (and under cover) cycle parking has been provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the cycle parking shall be maintained and kept available for use.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

16. 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 vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

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 in accordance

with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

17. Notwithstanding the submitted plans, any new / replacement windows and/or doors within 0.5 metres of the Wood Street frontage / footway shall not open so to overhang the public highway and shall thereafter be maintained in perpetuity.

Reason: In the general interest of highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

18. No development associated with the OUTLINE element of this consent shall take place until a scheme and timetable for delivery for the treatment of Public Right of Way V8 has been submitted and approved in writing by the Local Planning Authority. Such a scheme shall include provision for their management during construction (including any arrangements for a temporary diversion) fencing, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. Thereafter the development shall be carried out in accordance with the approved scheme and timetable.

Reason: To protect and enhance Public Rights of Way and access in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

19. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent any increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

20. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final surface water management systems through the entire development construction phase in accordance with Policy DM7 of the SADMP (2016).

21. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance both in terms of flood risk and water quality of the surface water drainage system in accordance with Policy DM7 of the SADMP (2016).

22. No development above foundation level, to which the FULL planning permission relates, shall commence on site until representative samples and/or details of the materials and architectural detailing to be used on the buildings hereby permitted have been deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details. The details shall include:-

- Cladding for the building (including material, finish and colour)
- Windows and doors (including style, specification, frame material, finish, colour, reveal, cill and header treatments)
- Rainwater goods (including style, specification, frame and colour)

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity and to preserve the significance of the Hinckley Town Centre Conservation Area in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), section 16 of the National Planning Policy Framework and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

23. No development above foundation level, to which the OUTLINE planning permission relates, shall commence on site until representative samples and/or details of the materials and architectural detailing to be used on the buildings hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved details. The details shall include:-

- Brick details (including material, colour and bond). The brick shall be laid in English bond.
- Roof tile (including material and colour)
- Windows and doors (including style, specification, frame material, finish, colour, reveal, cill and header treatments)
- Rainwater goods (including style, specification, frame and colour)

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity and to preserve the significance of the Hinckley Town Centre Conservation Area in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), section 16 of the National Planning Policy Framework and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

24. No demolition works to which the OUTLINE planning permission relates shall commence until a contract has been let to carry out the building operations permitted under this permission (or any superseding consent as first agreed in writing by the Local Planning Authority) has been made.

Reason: To avoid premature demolition which would be harmful to the character and appearance of the Hinckley Town Centre Conservation Area and to safeguard the

local environment and in accordance with the aims and objectives of the National Planning Policy Framework and in accordance with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

25. 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 in writing 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

26. 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 in writing 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 first dwelling being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

27. Upon completion of any remediation works a Verification report shall be submitted to and approved in writing by the Local Planning Authority. The Verification Report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included in the Verification Report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

28. Prior to commencement of development to which the FULL planning permission relates a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

Site preparation and construction shall be limited to the following hours;

Monday - Friday 07:30 - 18:30
Saturday 09:00 - 14:00
No working on Sundays and Bank Holidays

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

29. Prior to commencement of development to which the OUTLINE planning permission relates a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

Site preparation and construction shall be limited to the following hours;
Monday - Friday 07:30 - 18:30
Saturday 09:00 - 14:00
No working on Sundays and Bank Holidays

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

30. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing for the first phase of archaeological works. Further WSI/s would be needed for Mitigation stage/s. For land that is included within the WSIs, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme as set out in the WSI.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving in accordance with the requirements of Policies DM11, DM12 and DM13 of the Site Allocations and Development Management Policies Development Plan Document (2016).

31. Prior to commencement of development to which the FULL planning permission relates a Building for Healthy Life Assessment of the proposal shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is appropriate to the local area and meets amenity standards in accordance with policy DM10 of the Site Allocations and Development Management Policies DPD and the Good Design Guide SPD.

32. Any reserved matters application shall be accompanied by a Building for Healthy Life Assessment of the proposal.

Reason: To ensure the development is appropriate to the local area and meets amenity standards in accordance with policy DM10 of the Site Allocations and Development Management Policies DPD and the Good Design Guide SPD.

33. The development associated with the FULL element of this consent hereby permitted shall not be occupied until:

- a) a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, and
- b) a Landscape Management Plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas

has been submitted in writing to and approved in writing by the local planning authority.

The scheme shall be carried out in full accordance with the approved landscaping scheme and management plan. 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 and that the landscaping work is carried out within a reasonable period and thereafter maintained in accordance with Policies DM6, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

34. The development associated with the OUTLINE element of this consent hereby permitted shall not be occupied until:

- a) a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, and
- b) a Landscape Management Plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas

has been submitted in writing to and approved in writing by the local planning authority.

The scheme shall be carried out in full accordance with the approved landscaping scheme and management plan. 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 and that the landscaping work is carried out within a reasonable period and thereafter

maintained in accordance with Policies DM6, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

35. No development to which the FULL planning permission relates shall commence on site until a scheme that makes provision for waste and recycling storage and collection across the site has been submitted in writing to and approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

36. No development to which the OUTLINE planning permission relates shall commence on site until a scheme that makes provision for waste and recycling storage and collection across the site has been submitted in writing to and approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

37. Prior to the occupation of each dwelling/unit on site full fibre broadband connection should be available and ready for use.

Reason: To ensure the provision of a high quality and reliable communications infrastructure network to serve the development to accord with paragraph 116 of the National Planning Policy Framework (2023).

38. The development associated with the FULL element of this consent hereby permitted shall not be occupied until Swift boxes/bricks are installed onto the building. Swift boxes should be in groups of three with at least one group installed on the building. The swift boxes shall be installed in accordance with the Swift Partnership guidance <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2018/4/16/swiftsadvice-to-planners-and-developers.pdf>

Reason: In order to protect the protected wildlife species and their habitats that are known to exist in the site area, in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

39. The development associated with the OUTLINE element of this consent hereby permitted shall not be occupied until Swift boxes/bricks are installed onto the building. Swift boxes should be in groups of three with at least one group installed on the building. The swift boxes shall be installed in accordance with the Swift Partnership guidance <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2018/4/16/swiftsadvice-to-planners-and-developers.pdf>

Reason: In order to protect the protected wildlife species and their habitats that are known to exist in the site area, in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

40. Notwithstanding the submitted details prior to first occupation of the development associated with the FULL element of this consent. The first floor windows serving the bathroom of Flat 13, hallway for Flats 10 and 11 and bathroom window for Flat 10 shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and once so provided shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of the neighbouring dwelling from potential overlooking in accordance with Policy DM10(a) of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

NOTES TO APPLICANT :-

1. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
2. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001)
3. A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
4. Public Rights of Way must not be further enclosed in any way without undertaking discussions with the local Highway Authority (telephone 0116 305 0001).
5. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
6. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.
7. Nesting birds and bats, their roosts and their access to these roosts, are protected under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitat etc) Regulation 1994. Therefore, should birds or bats be present, works should be deferred until the late summer/autumn.
8. Drainage:
 - The Surface Water Drainage scheme required shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains

to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

- Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.
- Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
- Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.

9. In relation to the Contaminated Land conditions advice from Environmental Health should be sought via esadmin@hinckley-bosworth.gov.uk to ensure that any investigation of land contamination is in accordance with their policy.

Date : 28 August 2024



Christopher Brown MRTPI
Head of Planning

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](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.



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-commence 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:	22/00695/HYB
PROPOSAL:	HYBRID PLANNING APPLICATION COMPRISING: OUTLINE APPLICATION (ACCESS, APPEARANCE AND SCALE TO BE CONSIDERED) FOR THE DEMOLITION OF EXISTING FACTORY BUILDING AND ERECTION OF A RESIDENTIAL BUILDING COMPRISING UP TO 12 RESIDENTIAL UNITS; A FULL APPLICATION COMPRISING THE CHANGE OF USE OF THE EXISTING FACTORY BUILDING TO RESIDENTIAL INCLUDING THE ADDITION OF AN EXTRA STOREY AND COMPRISING 14 RESIDENTIAL UNITS
SITE LOCATION:	FACTORY UNITS 23 WOOD STREET HINCKLEY LEICESTERSHIRE LE10 1JQ

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:	

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