

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Clump Farm Solar Limited
22 Chancery Lane
London
WC2A 1LS
United Kingdom

Name and Address of Agent (if any)

Mr Steffan Baker
Lighthouse Development Consulting
Tec Marina
Terra Nova Way
Penarth
South Glamorgan
CF64 1SA
United Kingdom

Part I - Particulars of Application

Date of Application

25 June 2024

Application No.

24/00632/FUL

Particulars and location of development :

Installation of an underground grid connection cable within the highway verge to connect Enderby Substation (Cross-boundary with Blaby District Council)

Highway Verge Hinckley Road / Desford Road Enderby LE19 4AD

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 be begun before the expiration of three years from the date of this permission.

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 hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Cable Route Planning Boundary (FIGURE REF: EDY7a.v1)
- Proposed Cable Route Planning Boundary - Site Layout (FIGURE REF: EDY7b.v2) sheets 1 to 11

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

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

(2016).

3. No development shall commence on the site until such time a construction traffic management plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include:
- A) Details of a construction programme outlining the timescales and phasing of the works;
 - B) Traffic management measures to be used and details of any road closures;
 - C) Re-instatement of the carriageway/ verge and measures to avoid mud/ stones being left in the carriageway;
 - D) Vehicle parking facilities;
 - E) Timetable of works; and
 - F) The impact of the proposals on nearby Public Right of Ways and how this will be mitigated.

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 the interests of highway safety, and in accordance with the National Planning Policy Framework (2024).

4. No development shall commence until a scheme for the treatment of the Public Rights of Way T73, V71, V72, V72a, and V80a has been submitted to and approved in writing by the Local Planning Authority. A scheme shall include management during construction, including proposed temporary routes and their signage; and restoration of the PRoWs wherever surfaces are affected by the excavations. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

Reason: To protect and enhance Public Rights of Way and access in accordance with Paragraph 105 of the National Planning Policy Framework (2024).

5. No development shall take place (including ground works or vegetation clearance) until an updated badger survey report has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out within 3 months of the likely commencement of works on site. It is to include details on mitigation measures for badgers if necessary (such as badger gates). All works are to proceed strictly in accordance with the approved document.

Reason: To ensure that protected species are not harmed by the development in accordance with SADMP policy DM6 and the advice contained in the National Planning Policy Framework (2024).

6. No development shall commence (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details as a minimum:
- A) Identification of potentially damaging construction activities
 - B) practical measures and sensitive working practices to avoid or reduce impacts during construction on Great Crested Newts and reptiles
 - C) timing of works to avoid harm to nesting birds
 - D) responsible persons for overseeing sensitive works
 - E) use of protective fencing where required

The approved CEMP shall be adhered to and implemented throughout the construction period.

Reason: To ensure that protected species are not harmed by the development in accordance with SADMP policy DM6 and the advice contained in the National Planning Policy Framework (2024) together with the Habitats Directive.

7. No demolition/development shall take place/commence until the programme of archaeological mitigation has been defined within an Archaeological Mitigation Plan (AMP), which has been submitted to and approved in writing by the local planning authority. For land that is included within the AMP, no demolition/development shall take place other than in accordance with the agreed programme. The AMP will make provision for two fieldwork stages and their associated post-excavation requirements:

- A) an initial phase of archaeological trial trenching and;
- B) a subsequent stage of archaeological investigation and recording of significant

archaeological remains.

Reason: To ensure satisfactory programme of archaeological mitigation to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal in accordance with SADMP policy DM13 and the advice contained in the National Planning Policy Framework (2024).

8. Prior to the commencement of each stage of the AMP (condition 7 above), a written scheme of investigation (WSI), will be [submitted to and] approved by the local planning authority in writing. The WSI will define the required archaeological work, and will include a statement of significance and research objectives, and

A) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B) 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 set out in the WSI

Reason: To ensure each stage of the archaeological investigation is undertaken in accordance with best practice, including its investigation, recording, dissemination and archiving in accordance with SADMP policy DM13 and the advice contained in the National Planning Policy Framework (2024).

9. Prior to commencement of development a Construction Environmental Management Plan (Environmental Health) shall be submitted to and agreed in writing by the LPA. 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, vibration, 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.

Reason: To protect the amenities of nearby land users in accordance with SADMP policies DM7 and DM1 and the advice contained in the National Planning Policy Framework (2024).

10. Prior to the commencement of development an Arboricultural Method Statement and detailed Tree Protection Plan, in broad accordance with the recommendations contained within the Arboricultural Impact Assessment (June 2024) prepared by Barton Hyett Associates, shall first be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in full accordance with the approved Arboricultural Method Statement and detailed Tree Protection Plan.

Reason: to protect trees and hedges that are important to the rural character of the area in accordance with SADMP policies DM4 and DM6 and the advice contained in the National Planning Policy Framework (2024).

NOTES TO APPLICANT :-

1. The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk
2. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
3. The Public Right(s) 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. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001. 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.
5. 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 Highway Authority.
6. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

7. The Archaeological Mitigation Plan (AMP) and subsequent Witten Schemes of Investigation (WSIs) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of the AMP/WSIs has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.
8. The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

C. Brown.

Christopher Brown MRTPI
Head of Planning

Date : 7 April 2025

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:	24/00632/FUL
Proposal:	Installation of an underground grid connection cable within the highway verge to connect Enderby Substation (Cross-boundary with Blaby District Council)
Site Location:	Highway Verge Hinckley Road / Desford Road Enderby LE19 4AD

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