

Planning Department  
Charnwood Borough Council  
Southfield Road  
Loughborough  
LE11 2TX

Our ref: 952157.1  
Your ref: PP-09114089  
22nd July 2021

Dear Sir/Madam,

**The Town & Country Planning Act 1990 (as amended)  
The Development Management Procedure Order 2015 – Regulation 27**

**Application for confirmation that conditions 1, 7(i), 8, 9, 11, 12 and 13 of permission ref: P/17/2215/2, (for the Development of an industrial building with associated offices (Use Classes B1, B2 and B8) together with associated landscaping, highway improvements, parking and servicing and works to create an elevated plateau and flood attenuation (as approved under ref: P/17/0741/2)), have been complied with.**

**At Land at North of Pukka Pies, High Street, Syston, Leicestershire**

**Introduction**

1. We are instructed on behalf of Pukka Pies (“the Applicant”) in relation to a request for confirmation that one or more planning conditions have been complied with. The relevant planning permission ref: P/17/2215/2 relates to Land North of Pukka Pies, High Street, Syston, Leicestershire (“the site”). We can confirm that the confirmation that conditions were complied with application was successfully submitted electronically through the Planning Portal today.
2. This letter is accompanied by, and should be read in conjunction with, the following documents:
  - Decision Notice for LPA ref: P/17/2215/2
  - Site Plan, drawing no. P74 (PL)01 rev D, prepared by Architects LE1
  - Glympton Construction Ltd Invoice, Invoice no. 318, dated 21/07/2020
  - Site Photographs taken October 2020
3. A BACS payment for the sum of £116.00, the correct fee for an application of this type, has been sent to the Planning Portal alongside the £28.00 administration fee.

**Background**

4. Planning application ref: P/17/2215/2 was validated by the Local Planning Authority on 23<sup>rd</sup> November 2017. The attached Decision Notice confirms that planning permission was subsequently granted on 3<sup>rd</sup> August 2018, with 16 conditions attached.
5. The Applicant has discharged all pre-commencement conditions and commenced the development by carrying out associated highway works in the form of the construction of the new access. However, the company have faced business and operational challenges arising from the Covid-19 pandemic and wish to confirm implementation of the planning permission ref: P/17/2215/2 to safeguard the permission pending completion of the approved scheme.

### **Planning History**

6. The subsequent planning history of relevance to planning permission ref: P/17/2215/2 is summarised in Table 1 below:

<b>Planning Application No.</b>	<b>Description</b>	<b>Date of Decision</b>	<b>Decision</b>
P/20/0743/2	Discharge of condition 7 (i)	8 <sup>th</sup> June 2020	Conditional Approval of this part of the condition
P/20/0351/2	Discharge of condition 9	14 <sup>th</sup> May 2020	Condition discharged in part
P/20/0031/2	Discharge of condition 8	27 <sup>th</sup> February 2020	Condition discharged in part
P/20/0079/2	Discharge of condition 11	12 <sup>th</sup> March 2020	Condition discharged
P/20/0080/2	Discharge of condition 12	21 <sup>st</sup> April 2020	Condition discharged
P/20/0018/2	Discharge of condition 13	24 <sup>th</sup> June 2020	Condition discharged

**Table 1 – Relevant subsequent planning history of the application site.**

7. As the table shows the details relating to all of the pre-commencement conditions, (7(i), 8, 9, 11, 12 and 13) have been approved and relevant elements of them discharged. Where decisions show as partially discharged it is understood that this is because there are elements within them that did not require further written consent.

### **The Application**

8. This Application seeks to establish that planning permission ref: P/17/2215/2 has been implemented within 3 years, (before 3<sup>rd</sup> August 2021) and that all relevant details within the pre-commencement conditions have been approved. It is made on the basis that construction of the site access has commenced in accordance with the approved Site Plan, drawing no. P74 (PL)01 rev D and that as a result the approved development has commenced.
9. The evidence enclosed, within the attached documentation listed above, clearly demonstrates that construction of the site access has commenced. The Glympton Construction Ltd Invoice is dated 21<sup>st</sup> July 2020, and describes the programme of work

undertaken as “initial enabling works to form new site entrance”. As is standard practice, this invoice clearly post-dates the work undertaken.

10. The photographs attached to this Application and taken in October 2020 illustrate that an area of hardstanding at the access point has been put down in the location shown on the attached approved Site Plan, drawing no. P74 (PL)01 rev D. The photographs also illustrate that the Fosse Way access has been cleared and hardstanding laid, for the anticipated maintenance of the flood attenuation works.

### **The Context**

11. Section 72 of the Town and Country Planning act 1990 allows for development to be granted subject to the imposition of conditions. Regulation 27 of the Development Management procedure Order 2015 sets out the procedure for applications made in relation to an attached planning condition for “consent, agreement or approval required by a condition or limitation attached to a grant of permission”. This requires the applicant to submit written information to the Local Planning Authority sufficient to identify the planning permission concerned and provide information necessary to deal with the application. This application seeks agreement that the limitations required by the conditions set out above have been met.
12. Regulation 16 of the Town and Country Planning (Fees for applications, Deemed Applications, Requests and Site Visits) Regulations 2012 states that the fee for written confirmation of compliance with a condition or conditions attached to a planning permission is £116 per request for applications of this type.

### **Assessment**

13. The application in relation to condition 1 is principally supported by photographic evidence and a contractor invoice for undertaking the initial enabling works to form the new site entrance. As set out above the attached invoice and photographs confirm construction commenced within three years of the consent – prior to 3<sup>rd</sup> August 2021
14. The request also seeks written confirmation that all the relevant parts of the pre-commencement conditions have been discharged/agreed. Although these decisions have previously been issued separately we are seeking, for clarity, to include confirmation of this in tandem.

### **Conclusion**

15. We trust that the information contained within this letter and the supporting documents are sufficient for the Council to confirm that the conditions listed have been complied with.
16. We therefore respectfully invite the Council to confirm that conditions 1, 7(i), 8, 9, 11, 12 and 13 of permission P/17/2215/2 at Land North of Pukka Pies, High Street, Syston, Leicestershire have been complied with.
17. If we can be of any further assistance, or should you require any further clarification, please do not hesitate to contact Brian Mullin using the details below.

Yours faithfully

**Brian Mullin MRTPI**  
**Partner**  
**Marrons Planning**

Direct Line: 01162816901

Mobile: 07809 091 472

E: [brian.mullin@marrons-planning.co.uk](mailto:brian.mullin@marrons-planning.co.uk)