

Planning Committee 20 October 2026
Report of the Assistant Director Planning and Regeneration

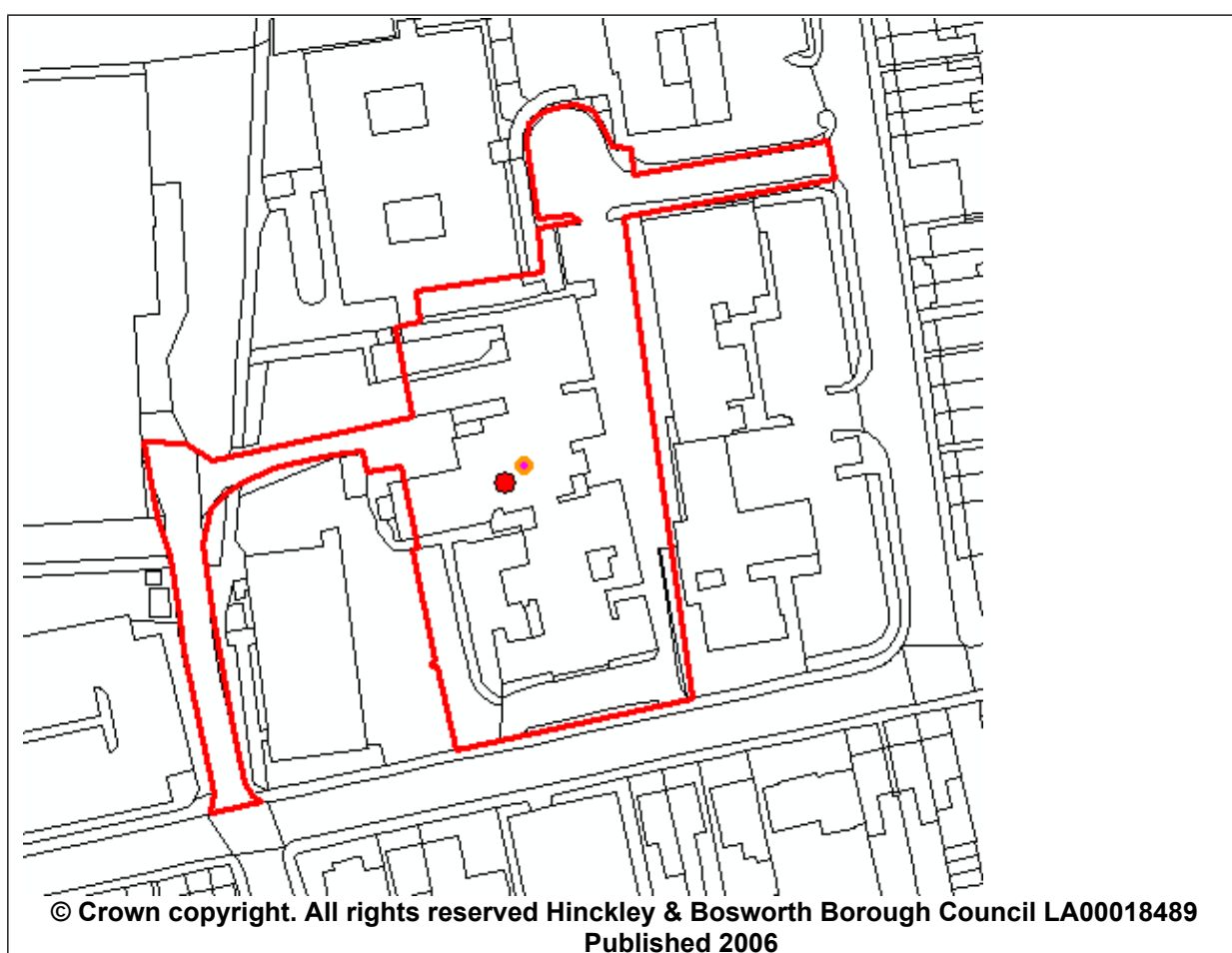
Planning Reference: 26/00680/CONDIT
Applicant: NHS Property Services
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: Hinckley and District General Hospital, Mount Road, Hinckley

Proposal: Variation of conditions 3 (WSI), 4 (Scheme of mitigation), 6 (Arboriculturist Details), 20 (CEMP) and 23 (HMMP) and new condition 24 (BNG) of planning permission 25/00461/FUL to facilitate demolition of the existing building in advance of finalising the long term strategy for the site.



1. Recommendations

1.1. That the application be approved subject to:

- The applicant changing the description of the proposal, removing the requested variation of conditions 23 (HMMP) and new condition 24 (BNG)
- LCC Archaeology department confirming that the submitted WSI is acceptable;

- The applicant submitting additional information demonstrating that the public benefits of the development outweigh the heritage harm;
- Planning conditions outlined at the end of this report; and
- That the Assistant Director Planning and Regeneration be given powers to determine the final detail of the conditions

2. Planning Application Description

- 2.1. Section 73 of the Town and Country Planning Act (TCPA) 1990 allows applications for planning permission to be sought for the development of land without complying with conditions that were imposed on a previous planning permission or to vary such conditions.
- 2.2. In this case, planning permission 25/00461/FUL granted full planning permission for the demolition of the former Cottage Hospital and the development of a new day case surgery building with associated landscaping and parking.
- 2.3. The approved day case building would have been a purpose-built, maximum 2 storey, modular building which would replace the existing Cottage Hospital. The approved building would be L-shaped in form and would be located to the front of the site albeit with a similar set back from Mount Road as the existing building. The building was designed to reflect the adjacent CDC building and it therefore would have a modern appearance, with a flat roof and materials consisting of red brick, timber effect cladding and off-white cladding panels.
- 2.4. The approved vehicular access would continue to be taken from one of the existing access points on Mount Road which would be used for the ingress of ambulances and fire vehicles only, the drop off and staff parking area to the front of the building would be removed. Other access points include the existing access on Hill Street and the newly amended access on Argents Mead which was secured through the adjacent Community Diagnostic Centre (CDC) development. Eighteen parking spaces were approved to the rear of the site, adjacent to and linked with the CDC parking area.
- 2.5. The approved day case surgery building plans included the day case surgery space on the ground floor, with a plant area at first floor/roof level. The surgery space would have comprised the following main components: 1 major day surgical theatre, 1 minor works procedure room, 4 recovery bays, 1 individual post anaesthesia room. The proposed activity plan was developed with 10-12 hour and 5-7 day working in mind. The new day case surgery building would have included plastic surgery, general surgery, vascular surgery, ophthalmology, urology, podiatric surgery and gynaecology services.
- 2.6. The applicant has stated that since planning permission was granted, current and projected clinical demand for the intended service has changed,

significantly reducing the need for a day case surgery in its approved form within Hinckley. The Integrated Care Board (ICB) have stated that they are therefore reviewing future options for healthcare delivery across the Hinckley and District General Hospital site.

- 2.7. Furthermore, the applicant has stated that notwithstanding the review of future healthcare provision, the former Cottage Hospital building continues to deteriorate and presents ongoing health and safety, security and maintenance concerns. Accordingly, the applicant considers it necessary and appropriate to facilitate demolition of the building in advance of finalising the long-term strategy for the Site.
- 2.8. Planning permission 25/00461/FUL was subject to a number of conditions, some of these conditions require details to be agreed by the LPA prior to commencement of development which would in this case include demolition of the Cottage Hospital. Through this application the applicant seeks to vary relevant planning conditions to facilitate demolition of the existing building, alongside securing approval of some technical details, to enable the existing building to be demolished ahead of finalising plans for its replacement. The relevant conditions and changes requested by the applicant are summarised below:
- 2.9. Condition 3: Currently requires the submission and approval of a Written Scheme of Investigation (WSI) including a programme and methodology for archaeological investigations and post investigation assessment, publication and dissemination prior to development/demolition. The applicant has submitted a WSI and is seeking to amend the condition to require compliance with this document.
- 2.10. Condition 4: Currently requires a Scheme of Mitigation for the loss of the original building to be submitted and approved prior to demolition/development. The condition requires that the scheme includes details of memorial plaques, memorabilia, interpretation boards and detail the reuse of external materials in the development. The applicant has submitted a Pre-Demolition Interim Scheme of Mitigation which includes details of temporary interpretation boards to be displayed on site and details of storage for memorabilia and external materials salvaged during demolition. The application seeks to amend the condition to secure this interim pre-demolition Scheme of Mitigation and allow demolition to occur, with the condition only requiring a final Scheme of Mitigation prior to occupation of the subsequent development. The final Scheme of Mitigation is proposed to include details of memorial plaques, memorabilia, interpretation boards and detail the reuse of external materials to be used in the development, or wider hospital site.
- 2.11. Condition 6: Currently requires the submission of details of the Project Arboriculturalist who would oversee tree works/tree protection prior to demolition and development. The applicant has submitted a schedule of arboricultural supervision and seeks to amend the condition to secure these details and allow development to commence.

- 2.12. Condition 20: Currently requires the submission of a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) prior to commencement of the development. The applicant has submitted a CEMP: Biodiversity and seeks to amend the condition to secure these details and allow development to commence.
- 2.13. Condition 23: Currently requires the submission of a Habitat Management and Monitoring Plan (HMMP) for significant on-site biodiversity enhancements, prepared in accordance with the approved Biodiversity Gain Plan, prior to commencement of the development. The applicant seeks to amend the condition to allow submission of this after demolition of the existing building.
- 2.14. Finally, the application seeks to add a new condition to address the statutory Biodiversity Net Gain (BNG) requirements. Presently the mandatory BNG condition requires submission of a Biodiversity Gain Plan prior to commencement of development which includes demolition of the Cottage Hospital. The applicant seeks to add a condition requiring the submission of this information after demolition of the building.

3. Description of the Site and Surrounding Area

- 3.1 The application site is located within the Hinckley Town Centre boundary and forms part of the wider Hinckley and District General Hospital site. The parcel in question largely comprises the existing Cottage Hospital sited to the east of the new CDC building and south/west of the wider hospital site.
- 3.2 The Cottage Hospital is not Listed but it is a non-designated heritage asset. The building was constructed in 1899/1900 with later extensions constructed between 1928 and 1978 it is therefore an irregular shaped structure with the original building facing Mount Road. The 1920s/30s extensions to the rear have been demolished under application 23/01155/DGDO. The applicant's case is that the building is past its useful economic life and is no longer suitable for the provision of modern healthcare. When in use the buildings were occupied by endoscopy, x-ray and day case surgery services. Replacement endoscopy and x-ray facilities will be provided in adjacent CDC building.
- 3.3 The site is currently accessed from Mount Road which lies to the south as well as Hill Street which is located to the east. There is a vehicular drop off area off Mount Road and a couple of parking spaces to the front of the application site.
- 3.4 Land levels in the area vary significantly and on the whole ground levels rise from the south western corner to the north easter corner of the site itself. The ground level of the newly constructed CDC is approximately 3m lower than the existing, adjacent ground level on the application site.

- 3.5 The land use to the south and east of the application site is predominantly residential, to the north east lies the leisure centre and car park with Argents Mead Park located to the north of the wider hospital site.
- 3.6 The application site lies just outside the south-eastern boundary of the Conservation Area, and is within its immediate setting.

4. Relevant planning history

25/00461/FUL

- Demolition of the former Cottage Hospital and the development of a new day case surgery building with associated landscaping and parking. Prior approval not required.
- Planning Permission
- 22.07.2025

25/00855/DISCON

- Application to discharge condition 3 (WSI), condition 4 (Scheme of Mitigation), condition 6 (arboricultural supervision), condition 13 (landscaping), condition 19 (ecological mitigation), condition 20 (CEMP-Biodiversity) and condition 23 (HMMP) attached to planning permission 25/00461/FUL
- Split Decision*
- 17.05.2026

*Insufficient information was submitted for conditions 4, 13, 23 which were not discharged. Condition 3 was partially discharged and conditions 6 and 20 were discharged under the above application.

5. Publicity

- 5.1. The application has been publicised by sending out letters to the occupiers of neighbouring properties. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. Objections have been received from **two** properties, raising the following concerns and points:
- It is a shame to demolish the existing building and lose its beautiful historical appearance
 - With no plan of what will happen to the site, why allow the demolition. If the site cannot be used as a hospital extension why lose it altogether?
 - NHS Property Services are trying to make piecemeal changes to the site and adjustments to existing proposals to further increase the usage of the site.
 - The footfall and parking issues impact residents on Hill Street and surrounding area negatively
 - One resident commented that they would be willing to buy the building and restore it to a family home.

6. Consultation

- 6.1 **HBBC Conservation Officer:** “It is noted that the reasons to vary these conditions is to facilitate demolition of the existing Cottage Hospital building in advance of finalising the long-term strategy for the site. In May 2026 it was confirmed that the permitted day case scheme will not go ahead in its current approved and existing form. The LPA shall need to be satisfied that it can be demonstrated that an alternative scheme will be delivered within a reasonable timeframe for this to be a public benefit to outweigh the heritage harm caused by the total loss of the Cottage Hospital as a local heritage asset (as per the essence of the original approval ref 25/00461/FUL), and that the demolition is not a development in isolation that would be premature.

The focus of my comments regards the variations to condition 4. I have reviewed the proposed Interim Scheme of Mitigation and in my opinion, it would provide a satisfactory record and display of the Cottage Hospital's local heritage significance once lost. I also agree with the approach of a Final Scheme of Mitigation being submitted for approval prior to the use of the development. Therefore, in my opinion the proposed variations for condition 4 can be approved”.

- 6.2 **LCC Archaeology:** “We would recommend that the Historic Building Recording and Investigation report submitted on 28/07/2026 is not satisfactory. We have provided the applicant's archaeological consultant with feedback, mostly relating to cross-referencing figures/photographs in the text. One we have received a satisfactory amended version of the report we will advise that the applicant should submit this to the LPA, for formal approval. Once a satisfactory report has been submitted the only outstanding requirements will be for the remaining post-excavation work referred to in Condition 3 attached to planning permission 25/00461/FUL, specifically the publication & dissemination and deposition (archiving) of resulting material.

The proposed condition wording in the submitted Supporting Planning Statement requires the demolition/development to be carried out in accordance with the Written Scheme of Investigation and the Historic Building Recording and Investigation report. However, as the fieldwork has now been undertaken neither the demolition or subsequent development would present an issue from an archaeological perspective. Conversely, the demolition and development could be carried out without requiring the completion of the remaining archaeological work, so would not secure the publication & dissemination and deposition (archiving) of resulting material.

As such we would suggest that a post-investigation condition securing the remaining requirements outlined above could be attached as a variation to the existing condition, this could include a timeframe to secure the remaining post-investigation works. Alternatively, the applicant's archaeological consultant may be in a position to upload the report and submit the digital-

only archive prior to a decision on the current VAR application, which would preclude the need for a condition altogether”.

- 6.3 **LCC Ecology:** LCC Ecology have confirmed that the submitted Construction Ecological Management Plan includes appropriate measures to minimise impacts upon biodiversity as part of the proposals. Therefore, there are no issues with the proposed amendments for condition 20 to ensure compliance with the submitted report.

However, whilst the department acknowledge the applicant's desire to expedite demolition and address pre-commencement requirements at a later stage, they do not support the proposed amendment to Condition 23 or the introduction of the proposed new Condition 24, as these amendments would be contrary to the statutory requirements of the Biodiversity Gain Condition and could prejudice the proper consideration of biodiversity net gain prior to commencement

- 6.4 **HBBC Tree Officer:** Is satisfied with the submitted information and raises no concerns.

7. Policy

- 7.1. Core Strategy (2009)
- Policy 1: Development in Hinckley
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1- Presumption in Favour of Sustainable Development
 - Policy DM2- Delivering Renewable Energy and Low Carbon Development
 - Policy DM3- Infrastructure and Delivery
 - Policy DM6- Enhancement of Biodiversity and Geological Interest
 - Policy DM7- Preventing Pollution and Flooding
 - Policy DM10- Development and Design
 - Policy DM11- Protecting and Enhancing the Historic Environment
 - Policy DM12- Heritage Assets
 - Policy DM13- Preserving the Borough's Archaeology
 - Policy DM17- Highways and Transportation
 - Policy DM18- Vehicle Parking Standards
 - Policy DM 25- Community Facilities
- 7.3. Hinckley Town Centre Area Action Plan (2011)
- Policy 5 (Land North of Mount Road)
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2026)
 - Planning Practice Guidance (PPG)
 - National Design Guide (2019)

- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - Leicestershire Highway Design Guide

8. Appraisal

- 8.1. As a result of the scope of amendments certain planning matters previously assessed and deemed acceptable under application 25/00461/FUL are not materially impacted by this Section 73 application. The assessment contained in the Committee Report for application 25/00461/FUL remains relevant for some areas and for brevity the areas listed below will not be repeated here within this report. For the avoidance of doubt the new 2026 National Planning Policy Framework (NPPF) has been reviewed and the below matters are considered in compliance with NPPF.

- Impact on Highway Safety
- Design and Layout (with the exception of trees)
- Residential Amenity
- Flood Risk and Drainage

- 8.2. The key issues in respect of this Section 73 application and assessed below are:

- Principle of Development
- Impact on Heritage Assets
- Archaeology
- Ecology and Biodiversity Net Gain
- Trees

Principle of Development

- 8.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act (TCPA) 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF repeats this and states that the NPPF is a material consideration in determining applications.
- 8.4 Policy DM1 of the SADMP set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The relevant development plan documents in this instance consist of the adopted Core Strategy (2009), the Hinckley Town Centre Area Action Plan (HTCAAP) (2011) and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016).
- 8.5 The site is located in a sustainable location, within the settlement boundary of Hinckley and in the Hinckley Town Centre boundary as defined in the Hinckley Town Centre Area Action Plan (2011) (HTCAAP). The site lies

within the 'Land North of Mount Road' site within the HTCAAP. Policy 5 outlines key aspirations for the site's redevelopment to a mixed-use development which includes the provision of community facilities.

- 8.6 The site is a designated Community Facility within the SADMP. Policy DM25 of the SADMP sets out that HBBC will seek to support the formation of new community facilities across the borough. To reduce reliance on the private car, it should be demonstrated that these facilities are accessible to the community which they intend to serve by a range of sustainable transport modes. The site is judged to be a sustainable location well served by a range of sustainable transport modes. However, Policy DM25 also relates to the loss of community facilities, which is relevant to this proposal which includes the demolition and loss of the existing facilities within the Cottage Hospital.
- 8.7 Policy DM25 states that HBBC will resist the loss of community facilities including ancillary areas. The redevelopment or loss of community facilities will only be appropriate where it can be demonstrated that:
- a) An equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community; or
 - b) There is a surplus of the facility type within the immediate locality exceeding the needs of the community; or
 - c) The loss of a small portion of the site would result in wider community benefits on the remainder of the site.
- Where compliance with parts a)-c) cannot be demonstrated the loss of a community facility will then only be considered acceptable where it can be demonstrated that the facility has been proactively marketed for a community use and it has been offered to the local community for them to take ownership.
- 8.8 Policy DM25 is generally consistent with the new NPPF, in particular Policy HC4 of the NPPF states that substantial weight should be given to the benefits where new or improved public service infrastructure or community facilities would be provided. And where development proposals would make a demonstrable contribution towards promoting good health, preventing ill-health, reducing health inequalities or supporting social interaction in the local community (such as, but not limited to, the provision of new recreation facilities, meeting places and opportunities to grow or purchase healthier food).
- 8.9 Policy HC6 (b) and (c) of the NPPF are consistent with Policy DM25 and state that development proposals should not result in the loss of key community facilities and public service infrastructure unless
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision, in a location which offers comparable or improved accessibility for the community it serves; or
 - c) The decision-maker is satisfied that there is sufficient alternative provision of the type of use concerned in the local area, such that its loss will not diminish access to key community facilities and public service infrastructure.

However, paragraph a) also permits the loss of key community facilities where:

a) It can be demonstrated that there is no reasonable prospect of the use being retained, either due to there being insufficient community support for the service it provides, or because it is no longer viable or feasible to operate (in the case of shops and public houses where commercial viability is an issue, evidence should be provided that reasonable steps have been taken to market the property for its existing use without success, for a period of at least 12 months).

- 8.10 The existing hospital buildings were previously occupied by endoscopy, x-ray and day case surgery services. The endoscopy and x-ray facilities are provided in the new CDC. As part of the original application, it was deemed that the applicant's planning submission clearly demonstrated that the proposed development would enable the provision of improved facilities for the day case services that occupied the existing Cottage Hospital building. The proposed development was to provide up to 33 full time employees and sought to double the capacity for day case activity at Hinckley to circa 2,000 procedures each year. The proposed development was therefore judged to meet criteria (a) of Policy DM25.
- 8.11 However, the applicant's submission as part of this S73 application sets out that since planning permission was granted current and projected clinical demand for the intended service has changed, significantly reducing the need for a Day Case Surgery in its approved form within Hinckley. The ICB is therefore reviewing future options for healthcare delivery across the Hinckley and District General Hospital site. Notwithstanding the review of future healthcare provision, the former Cottage Hospital building continues to deteriorate and presents ongoing health and safety, security and maintenance concerns for the applicant. Accordingly, the applicant is seeking a mechanism through this application to facilitate demolition of the building in advance of finalising the long-term strategy for the Site.
- 8.12 Whilst it is accepted that the principle of the demolition of the Cottage Hospital was accepted in the past, an understanding of the replacement facilities is now not fully understood in respect of Policy DM25. The applicants have been asked to provide further information regarding the future of the site which will be reported and reviewed within the late items report. Notwithstanding this, the proposal would comply with Policy HC6 of the new NPPF, in that it was sufficiently demonstrated and evidenced as part of the original application that there is no reasonable prospect of the existing Cottage Hospital building use being retained due to restrictions with the building making it unsuitable for modern healthcare and owing to financial viability of retaining and converting the building.
- 8.13 Overall, the principle of new healthcare facilities remains to be supported in this location. However, owing to new uncertainties over the replacement facilities, the loss of the existing Cottage Hospital within the amended proposals do not demonstrate compliance with Policy DM25 of the SADMP. It is expected that this may be addressed through the submission of

additional information. The proposal would nonetheless comply with Policy HC6 of the new NPPF.

Impact on Heritage Assets

- 8.14 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty in the exercise of planning functions stating that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The special attention does not apply to sites located within the setting of but outside of conservation area boundaries.
- 8.15 Section 20 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Policy HE4 sets out that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. Proposals should avoid (or if that is not possible) minimise harm to the significance of heritage assets, and instead conserve this significance. Policy HE5 sets out requirements for applicants to undertake assessments where the significance of a heritage asset may be affected.
- 8.16 Policy HE7 specifically relates to non-designated heritage assets and states that where a development proposal would harm the significance of a non-designated heritage asset, this should be weighed against the benefits of the proposal and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the non-designated heritage asset. Where a development proposal would cause substantial harm to, or the total loss of, the significance of a non-designated heritage asset, it should only be supported where the harm or loss is outweighed by the benefits of the proposal, having regard to the scale of the harm or loss and the significance of the non-designated heritage asset.
- 8.17 Policy HE9 relates to conservation areas and sets out that developments within or affecting the significance of conservation areas should retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.
- 8.18 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that all development proposals which have the potential to affect a heritage asset or its setting will be required to demonstrate:
- a) An understanding of the significance of the heritage asset and its setting; and
 - b) The impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts; and
 - c) How the benefits of the proposal will outweigh any harm caused; and

d) Any impact on archaeology in line with Policy DM13.

- 8.19 Policy DM12 outlines that all development proposals affecting the significance of heritage assets and their setting will be assessed in accordance with Policy DM11 and requires all development proposals to accord with Policy DM10 (Design and Development). Policy DM12 sets out specific guidance for Conservation Areas and Locally Important Heritage Assets. The policy states that development proposals should ensure the significance of a conservation area is preserved and enhanced, and that development proposals should ensure that development proposals should make every effort to retain the significance of locally listed heritage assets.
- 8.20 During determination of the former application Historic England notified the LPA that they received an application to add the Cottage Hospital to the List of Buildings of Special Architectural or Historic Interest.
- 8.21 Following investigation Historic England noted that the building has some value as an example of vernacular Arts and Crafts design, and it retains some charming features, however it is architecturally relatively standards for its date and type. The building does have local level interest in the historic narrative of the development of C20 medical care in Hinckley and this community connection. Judged against the criteria for listing Historic England therefore have determined that “Although Hinckley and District Hospital possesses some claims to local interest, overall the building lacks sufficient architectural and historic interest to meet the criteria for statutory listing in a national context”.
- 8.22 Notwithstanding this, the building itself remains a non-designated heritage of local heritage significance due to its historic, aesthetic and communal values. Given the proposal would seek to demolish the Cottage Hospital there would be an impact on the significance of the non-designated heritage asset, with this impact being adverse and the proposal leading to a total loss of its local heritage significance.
- 8.23 The application site lies in proximity to the southeastern boundary of the Hinckley Town Centre Conservation Area and is within its immediate setting. The previously submitted Heritage Impact Assessment provides a thorough assessment of how the application site contributes to the significance of the conservation area, recognising that the Cottage Hospital is a characterful building within the street scene, set within the context of the wider healthcare site, whose prevailing character is currently of a place with pockets of both modern built form, hard landscaping and car parking. The Cottage Hospital and its setting also contributes to an understanding of the historic development of Hinckley’s healthcare provision and its suburban expansion in the late-19th and early-20th centuries.
- 8.24 As well as the harm to the non-designated heritage asset itself, the proposed development will alter the extant experience of this part of the Hinckley Town Centre Conservation Area’s setting. It would result in the loss of a characterful building within the streetscene and its replacement with a

functional modern building. The loss of the Cottage Hospital would result in harm to the way in which the setting of the conservation area is experienced on Mount Road and how this part of the setting contributes to an understanding of the history of the town. HBBCs Conservation Officer agreed with the conclusions of the Heritage Impact Assessment that this loss would result in a small level of harm to the significance of the conservation area in the order of less than substantial harm, being at the lower end of this spectrum of harm.

- 8.25 The previous application included a Design Solutions Options Appraisal which considered operational healthcare requirements, associated costs and programme implications for retaining the existing Cottage Hospital. For brevity a full breakdown of the Options Appraisal is not repeated here but can be reviewed in the previous Committee Report. In summary the Options Appraisal did not include financial costings for each of the options, and it was judged difficult to understand the disparity in costs from the approved funding envelope. Nonetheless the commentary provided within the appraisal as a whole described the prescribed funding available and it was understood that retaining and enhancing the existing Cottage Hospital would be less cost effective than the replacements proposed. The Options Appraisal also included basic/indicative floorplans which do support the view that options retaining the building would not meet clinical requirements and the enhancements to healthcare facilities which would be a clear public benefit. Therefore, on balance the submitted Options Appraisal was acceptable and it was judged that the applicant has adequately assessed alternative options including the retention of the building, but these were not judged to be viable alternatives.
- 8.26 As currently proposed, the total loss of The Cottage Hospital, a non-designated heritage asset, would be irreversible and the harm permanent. In accordance with Policy DM11 of the SADMP and to further employ the balanced judgement required by the Policy HE7 of the NPPF, total loss of the significance of the non-designated heritage asset should only be supported where the loss is outweighed by the benefits of the proposal, having regard to the scale of the harm or loss and significance of the non-designated heritage asset. In addition, the development would cause less than substantial harm to the Hinckley Town Centre Conservation Area this will also need to be weighed up against the public benefits of the proposal as required by Policies DM11 and DM12 of the SADMP.
- 8.27 Paragraph 020 of the Planning Practice Guide (Historic Environment section reference ID: 18a-020-20190723) states that “public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the NPPF (paragraph 8)”. Public benefits may include heritage benefits, such as:
- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
 - Reducing or removing risks to a heritage asset
 - Securing the optimum viable use of a heritage asset in support of its long term conservation

- 8.28 It was previously judged that the proposal demonstrates no heritage benefits but did provide a clear opportunity to improve the healthcare sector in Hinckley. In particular the original proposal would have increased the capacity from c. 1000 to c. 2000 procedures per year for day case surgery in Hinckley. In turn this would reduce the need for residents to travel further afield for appointments. The new build unit would have allowed for purpose built accommodation with an efficient layout and flow of activity that will meet modern privacy and dignity and infection control requirements. The building would also be energy efficient with a BREEAM Excellent rating. This would be provided on an existing healthcare site, with links to the approved CDC and close to the Town Centre and associated public transport links. These are social and environmental benefits which in combination were attributed significant positive weight in the previous application.
- 8.29 This application does not seek to vary the description of development and the applicant states that the nature of the development approved under the extant planning permission has not changed. However, it is clear from the submission that the benefits of the Day Case Unit as assessed above cannot be relied upon as the ICB continues to pursue other options for the site. The level of harm remains as assessed previously, however, the public benefits which were previously considered to outweigh the harm cannot be relied upon. The ICB still plan to pursue enhancements to healthcare provision at the application site, therefore it is likely that public benefits would still be generated but the detail of this is not yet clear. The applicants have been asked for further information which will be reported and assessed in the late items report.
- 8.30 As per section 5.29 of the Heritage Impact Assessment measures were proposed to preserve the public appreciation of the Cottage Hospital, including the display of historic memorial plaques and interpretation board/s within the new building and if logistically possible the creation of a panel of wall cladding from bricks reclaimed from the original hospital. These mitigation measures would not avoid or minimise the level of harm caused to the non-designated heritage asset by the proposal but would allow for preservation by record and artifact of some level of the local heritage significance of the building.
- 8.31 The existing wording of Condition 4 requires the submission and approval of a single mitigation scheme prior to any demolition or development taking place. The application proposes to vary the condition into two stages:
- Condition 4a (Interim Scheme – Pre-Demolition) requiring temporary interpretation measures and arrangements for the secure storage of salvaged heritage items prior to demolition; and
 - Condition 4b (Final Scheme – Pre-Occupation) requiring submission and implementation of a comprehensive permanent interpretation and heritage mitigation strategy prior to occupation of the development.

- 8.32 This approach reflects the practical reality that the final design, location and content of the permanent heritage interpretation measures are unlikely to be fully developed until a later stage in the project, whilst ensuring appropriate interim measures are secured before demolition commences. An Interim Scheme of Mitigation has been submitted alongside this application to satisfy the proposed first stage of Condition 4 (4a). The Interim scheme includes:

Display of Memorial Plaques

Existing plaques have been safely removed and are stored off site at the University Hospitals of Leicester NHS Trust Museum. They will be stored there until a new scheme comes forward on the site at which point plans for their display can be outlined.

In addition, a foundation stone is proposed to be carefully removed from the building fabric during demolition. Once removed the foundation stone will be gifted to the local Freemasons at their request as it is understood that the foundation stone was laid by one of the local Freemasons.

Display of memorabilia

No meaningful items of memorabilia besides the memorial plaques have been recovered from the building. Whilst it is unlikely to be the case the Interim Scheme of Mitigation confirms that if there are additional items found as part of the strip and demolition phases, these will also be stored and potentially reused in any new development on the site.

Interpretation display board

It is proposed to provide an interpretation display board to be appended to the site street hoarding once the building has been demolished. The submitted details show that it would provide details of the history of the cottage hospital in accessible visual detail, alongside historic images of the former building both in use and appearance and a timeline. The hoarding will wrap around the built area to be demolished with the heritage board fronting onto Mount Road.

Reuse of materials in the new building

It is anticipated that this element of the proposed mitigation will be driven by the quality of salvaged building material from the extant building. However the intention is that removed brickwork will be retained where possible and subject to its condition, will be stored and included in plans for reuse as part of any new structure or building on the site in due course.

The detailed method for the salvage of bricks is as follows:

'Detailed Method (Debuild): With the roof removed, the wall will be hand debuilt down to the first floor with hand tools. Edge protection will be installed during the demolition to ensure edge protection is maintained. Operatives using a variety of hand tools and handheld breakers shall work the brick wall down to the structure. Bricks will be placed into a drop zone underneath the gable. Works will be suspended to allow operatives to access the ground level to retrieve the bricks and stack them onto pallets for storage.'

- 8.33 The Interim Scheme of Mitigation has been assessed by the Case Officer, Conservation Officer and LCC Archaeology department and is judged to be

acceptable. As amended Condition 4 would require submission to the Council for their agreement and implementation of, a comprehensive permanent interpretation and heritage mitigation strategy prior to above ground development of the replacement building. The applicant sought for this to be submitted prior to first occupation, however, as the scheme would need to detail the reuse of materials this would be too late in the design process to agree this.

- 8.34 Overall, additional information is required and has been requested from the applicant outlining the future intentions and likely benefits of the revised plans for the site. This is required to ensure that the benefits of the proposal outweigh the heritage harm to ensure the development continues to comply with Policies DM11 and DM12 the SADMP and Policy HE7 and HE9 of the NPPF. It is recommended that the application be approved subject to compliance with the above. Notwithstanding this, the amendments to Condition 4 are judged to be acceptable in isolation.

Archaeology

- 8.35 Policy DM13 of the SADMP states that where a proposal has the potential to impact
a site of archaeological interest developers should provide an appropriate desk
based assessment and where applicable a field evaluation. This is consistent with Policy HE5 (5) of the NPPF.
- 8.36 Condition 3 currently requires the submission and approval of a Written Scheme of Investigation (WSI) including a programme and methodology for archaeological investigations and post investigation assessment, publication and dissemination prior to development/demolition. The applicant has submitted a WSI and is seeking to amend the condition to require compliance with this document.
- 8.37 At present LCC archaeology department have recommended that the submitted report is not satisfactory. LCC archaeology department have provided the applicant's archaeological consultant with feedback, mostly relating to cross-referencing figures/photographs in the text. The applicant has liaised with LCC's archaeology department and have amended the errors and they have digitally archived the Historic Building Record. The amended information is currently being reviewed with LCC archaeology.
- 8.38 Subject to LCC's archaeology department confirming that the submitted information is acceptable it is recommended that Condition 3 can be varied as the required information will have been submitted. The condition would then require the development to simply be carried out in accordance with the submitted documentation. Should this agreement not be achieved in advance of the planning committee meeting it is recommended that delegated powers be given to the Assistant Director Planning and Regeneration to allow approval of the variation of condition 3 on receipt of the agreement of LCC archaeology department. Subject to the submission of

acceptable information the development is judged to comply with Policy DM13 of the SADMP in terms of historic building recording.

Ecology and Biodiversity Net Gain

- 8.39 Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including long term future management. Policy N2 of the NPPF requires developments to minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs.
- 8.40 The extant permission demonstrated compliance with relevant policies and subject to conditions was judged to conserve and enhance biodiversity. The development is also subject to mandatory Biodiversity Net Gain. The applicant proposed to reach 10% Biodiversity Net Gain through a combination of on-site habitat and through purchasing off-site biodiversity credits.
- 8.41 This variation of condition application seeks to amend three ecology related conditions. Condition 20 requires the submission of a Construction Ecological Management Plan (CEMP), the submitted CEMP has been reviewed by LCC ecology department and is judged to be acceptable. It is therefore recommended that condition 20 can be varied to simply require compliance with the CEMP during demolition/development, with no further information being required.
- 8.42 The application also seeks to vary Condition 23 which requires the submission of a Habitat Management and Monitoring Plan (HMMP) to amend the trigger from "prior to commencement of development" to "prior to commencement of development (excluding demolition)". Furthermore, the applicant seeks to introduce a new condition (termed Condition 24) relating to Biodiversity Net Gain (BNG) requirements. The application seeks to amend the trigger works for the submission of a Biodiversity Net Gain plan and related mandatory requirements to allow the applicant to submit this information after the demolition of the existing building rather than prior to commencement of the development (which would include demolition).
- 8.43 There are three key areas of assessment with regards to the proposal to vary the BNG condition, the first is whether this should be listed as a new planning condition. The second is whether the change in trigger point for the submission of the BNG Plan after commencement is acceptable and as a consequence whether the proposed variation for the trigger point of Condition 23 (HMMP) is also acceptable.
- 8.44 Planning Practice Guidance (PPG) on Biodiversity Net Gain (Paragraph 024 Reference ID: 74-024-20240214) is clear that as the biodiversity gain condition has its own separate statutory basis as a planning condition, to ensure applicants are clear about this distinction, the local planning authority are strongly encouraged to not include the biodiversity gain condition, or the

reasons for applying this, in the list of conditions on the decision notice when granting planning permission. For this reason, the mandatory BNG condition is listed separately in the decision notice for application 25/00461/FUL and is not judged to be necessary to add a new condition to the decision notice which would contradict the PPG.

- 8.45 With regards to the change in trigger point, the Biodiversity Gain Condition is a statutory pre-commencement condition that applies to all development under paragraph 13 of Schedule 7A of the TCPA (as amended). Every planning permission granted for land in England (unless expressly exempt) is deemed to have been granted subject to the condition that development cannot begin until a Biodiversity Gain Plan has been submitted and approved by the planning authority.
- 8.46 The demolition of the existing building is deemed to be development as defined in Section 55(1A) of the TCPA. The description of development for application 25/00461/FUL therefore expressly sought and achieved planning permission for the demolition of the building. Where demolition of buildings is authorised by planning permission and subsequently carried out this would constitute a material operation and commencement of development (Section 56(4) of the TCPA). Therefore, the statutory requirements for BNG would require submission of the Biodiversity Gain Plan prior to demolition of the existing building. A variation of the planning permission permitting the submission of the Biodiversity Gain Plan post demolition, as requested by the application, would breach the statutory requirements for BNG and for this reason would not be acceptable.
- 8.47 With regards to the HMMP, Paragraph 14(2) of Schedule 7A of the TCPA (as amended) and Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the requirements of the Biodiversity Gain Condition, which secures the Biodiversity Gain Plan. This also sets out that management and monitoring measures should be included within the submission of the Biodiversity Gain Plan.
- 8.48 Whilst condition 23 is currently worded as a separate planning condition, the HMMP is intrinsically linked to the Biodiversity Gain Plan and, in practice, should be submitted and approved concurrently with the Biodiversity Gain Condition. As such, both matters should be secured prior to the commencement of development and the amendment to condition 23 which would allow the HMMP to be submitted post demolition and after commencement of the development is not acceptable.
- 8.49 The above is supported by LCC Ecology department who have advised the proposed amendments would be contrary to the statutory requirements of the biodiversity gain condition and could prejudice the proper consideration of biodiversity net gain prior to commencement. The applicant has advised they have received legal advice contrary to this view, this has been requested but has not been shared with the LPA at the time of writing this

report. If this advice is shared with the LPA any updates will be reported on the late items report.

- 8.50 At this stage, the amendment to condition 20 is acceptable and the condition can be varied to require compliance with the submitted CEMP. The variation to conditions 23 and the proposal to add a new BNG condition with both conditions having a post-demolition trigger point are not accepted as they would be contrary to the statutory requirements for BNG. The applicant has been asked to remove these amendments from this application.
- 8.51 Subject to the variation of condition 20, the remaining ecological planning conditions including condition 23 and the mandatory BNG condition as imposed under application 25/00461/FUL the development would comply with Policy DM6 of the SADMP, Policy NE2 of the NPPF and Paragraph 14(2) of Schedule 7A of the TCPA (as amended) and Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Trees

- 8.52 The extant application included a detailed landscaping scheme. The two existing lime trees (Category B trees) will be retained and an arboricultural impact assessment has been submitted. The impact assessment detailed that part of the development will fall within the root protection area of the trees and that specialist foundations may be required in these areas. The memorial tree to the rear of the building would also be retained. The landscaping scheme was judged to be acceptable, a condition was imposed recommending the submission of an implementation timetable, maintenance programme and for details of a project arboriculturist to be submitted to ensure monitoring of construction activities.
- 8.53 This application seeks to vary condition 6 relating to the details of the project arboriculturist. Full details of the arboriculturist have been submitted and reviewed by the HBBC Tree Officer who judged the information to be accepted. The proposed variation which would require no further information to be submitted and for the development to be carried out in accordance with the submitted details would continue to comply with Policy DM10 of the SADMP and the NPPF and is therefore acceptable.

Conclusions and Planning Balance

- 8.54 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.55 The site is located in a sustainable location, within the settlement boundary of Hinckley. Provided that the redevelopment of the site will lead to enhanced facilities on the site the development would remain to be in compliance with Policy DM25 of the SADMP. Further information has been

requested from the applicant to demonstrate this which will be reported on the late items. Notwithstanding this, the proposal would comply with Policy HC6 of the new NPPF, in that it was sufficiently demonstrated and evidenced as part of the original application that there is no reasonable prospect of the existing Cottage Hospital building use being retained due to restrictions with building, it unsuitable for modern healthcare and owing to financial viability of retaining and converting the therefore accepted. The principle of development is therefore accepted.

- 8.56 No highway related amendments are sought and subject to conditions the development is acceptable in highway safety terms and complies with policies DM17 and DM18 of the SADMP.
- 8.57 With regards to the design of the building, no amendments are being sought, it is noted that the building is large in scale and functional in its design. It will however relate reasonably well to its setting and the scheme is judged to continue to comply with policy DM10 of the SADMP. The variation to Condition 6 (arborist details) ensures acceptable monitoring for tree works ensuring remaining compliance with policy DM10 in this regard.
- 8.58 The heritage impacts are assessed in detail within the report and it is clear that harm would arise through the total loss of the non-designated Cottage Hospital building and as a result of the demolition less than substantial harm would occur to the Conservation Area. As a result of uncertainty on the future of the site, insufficient information has been submitted to demonstrate that the public benefits of the development outweigh the harm. Further information has been requested and will be assessed on the late items report, it is recommended that permission is granted subject to it being demonstrated and judged that the benefits of the development outweighs the harm and consequently that the proposal therefore complies with policies DM11 and DM12 of the SADMP.
- 8.59 Similarly, it is recommended that the application is approved subject to confirmation from LCC archaeology department that the submitted archaeological information is acceptable and therefore complies with policy DM13 of the SADMP. This information will be reported on the late items report or it is requested that this matter is delegated to the Assistant Director Planning and Regeneration.
- 8.60 Subject to conditions, including the proposed amendment to Condition 22 (CEMP) but the reimposition of Condition 23 and the mandatory BNG condition as outlined on application 25/00461/FUL, the proposal would remain acceptable in ecological terms in compliance with policy DM6 of the SADMP and relevant statutory requirements.
- 8.61 Subject to conditions imposed on application 25/00461/FUL the proposal would not have an adverse amenity impact on surrounding residents, flood risk, drainage or archaeological assets.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

- 9.3 There are no known equality implications arising directly from this development.

- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conditions

- 10.1 Planning permission 25/00461/FUL was subject to 23 planning conditions and the mandatory BNG condition.

- 10.2 Condition 2 (approved plans), 5 (Construction Environmental Management Plan), 7-9 (surface water drainage and maintenance), 10 and 11 (land contamination), 12 (sustainability appraisal), 13 (landscape implementation plan/maintenance), 14-16 (highways), 17 (noise), 18 (lighting), 19 (ecology appraisal), 21 (Biodiversity Enhancement Strategy) and 22 (lighting design for biodiversity) from application 25/00461/FUL remain necessary and are not amended by this S73 application.

- 10.3 Condition 1 (commencement of development) is amended to refer to the commencement date of application 25/00461/FUL.

- 10.4 Condition 3 (WSI) is recommended to be amended subject to LCC archaeology confirming the submitted details are acceptable.

- 10.5 Condition 4 (Scheme of Mitigation) is amended allowing demolition to commence in compliance with the Interim Scheme of Mitigation and

requiring a final Scheme of Mitigation to be submitted prior to first use of the development.

- 10.6 Conditions 6 (project arboriculturist) and 20 (CEMP) are amended requiring compliance with the submitted details allowing demolition to commence.
- 10.7 Condition 23 (HMMP) is not amended for the reasons set out in this report.
- 10.8 The mandatory BNG condition also remains in place with no additional, amended BNG condition imposed as set out in this report.

11. List of Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission 25/00461/FUL (before 22 July 2028).

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 received by the Local Planning Authority as follows:
 - Detailed Planting Plan and Schedule drawing no. PLANT168-ZZ-XX-DR-L-101 P05
 - Proposed General_Arrangements RF drawing no. 2010 rev. P7
 - Proposed General_Arrangements_GF and FF drawing no. 20100 rev. P97
 - Proposed Site Section drawing no. 2300 rev. P1
 - Proposed Site Plan drawing no. 1202 rev. P3
 - Site Plan Location- Planning drawing no. 1210 rev. P4
 - Proposed Site Logistics Plan drawing no. 1203 rev. P4
 - Proposed Elevations drawing no. 2103 rev. P1

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. The development shall take place in accordance with the approved Written Scheme of Investigation for Historic Building Recording (Level 3) as submitted on **X (Date to be inserted following agreement from LCC archaeology department)**.

Reason: To ensure a satisfactory historic building survey and to record and advance understanding of the significance of the affected resource prior to its loss in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations and Development Management Policies

Development Plan Document (2016) and the National Planning Policy Framework (2026).

4. a) Interim Scheme of Mitigation
Demolition/development shall be carried out in accordance with the approved Interim Scheme of Mitigation (MK1461) by Cotswold Archaeology dated July 2026 unless otherwise agreed in writing by the Local Planning Authority.

The interim scheme approved under part a) shall be implemented in accordance with the approved Interim Scheme of Mitigation and remain in situ until a final scheme of mitigation, is submitted to, and approved in writing, by the Local Authority.

b) Final Scheme of Mitigation

Prior to above ground development of the replacement building, a final scheme of mitigation shall be submitted to, and approved in writing, by the Local Planning Authority. The final Scheme shall include details of memorial plaques, memorabilia, interpretation boards and detail the reuse of external materials to be used in the development, or wider hospital site.

Thereafter the final mitigation scheme approved under part b) shall be completed in accordance with the approved details prior to first use of the development hereby approved and retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory record and display of the Cottage Hospital to allow for ongoing appreciation of the original hospital and its communal interest and to advance understanding of the significance of the affected asset once lost in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2026).

5. The construction of the development shall be carried out in accordance with the Construction Environmental Management Plan authored by Darwin Group (project reference 180769 Rev. P04). Where the RAMS and desktop assessment identify the potential for increases in the level of dust emissions, a dust management programme will be produced by a suitably qualified person and include PM10 and PM2.5 monitoring which will be overseen by the Site Manager.

Reason: To minimise disruption to neighbouring residents are protected during construction, 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 DM7, DM10 and DM17

of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2026).

6. The development shall be carried out in accordance with Section 4 and Appendix 7 of the submitted Arboricultural Impact Assessment by Geosphere Environmental dated 25/04/2025 including:
 - Schedule of Arboricultural Supervision
 - Installation of protective barriers
 - Supervised excavation in the Root Protection Areas
 - Requirement for specialist foundations to be designed by an engineer and authorised by the Project Arborist
 - Replacement planting

In accordance with the schedule of arboricultural supervision, the development shall be carried out under the supervision of the Project Arboriculturist identified in the document 'Details of Project Arboriculturist' (Ref. 699.24) prepared by Red Kite dated 20 July 2025.

In accordance with the submitted Arboricultural Impact Assessment monthly monitoring by the appointed Project Arborist will occur during construction. Monitoring reports from the Project Arborist will be submitted to the Local Planning Authority within 5 working days of any request by the Local Planning Authority. Should the Project Arborist change during construction the details of the new arborist shall be submitted to the Local Planning Authority within 5 working days of their appointment.

Reason: To ensure that satisfactory tree protection measures are undertaken throughout construction and to ensure a satisfactory form of development in accordance with Policies DM6 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. No development (excluding demolition) shall begin until a scheme to provide a sustainable surface water drainage system in accordance with the Flood Risk Assessment and Drainage Strategy dated August 2023 has been submitted to and approved in writing by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details prior to first use of the development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

8. No development (excluding demolition) shall begin until details in relation to the management of surface water on site during construction

of the development have been submitted to, and approved in writing by, the Local Planning Authority. 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, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided. Thereafter the construction of the development shall be carried out in accordance with the 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 adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024)

9. No development (excluding demolition) shall begin until details in relation to the long term maintenance of the sustainable surface water drainage system on the development have been submitted to, and approved in writing, by the Local Planning Authority. Details of the SuDS Maintenance Plan should include responsibilities and schedules for routine maintenance, remedial actions and monitoring of the 2 separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site. The development shall be carried out in accordance with the approved details thereafter.

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 (including sustainable drainage systems) within the proposed development.

10. No development (except demolition) shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to, and agreed in writing, by the Local Planning Authority which shall include details of how any contamination shall be dealt with. Thereafter 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 development 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) and the National Planning Policy Framework (2024).

11. 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 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 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) and the National Planning Policy Framework (2024).

12. No development shall commence above foundation level until a Sustainability Appraisal demonstrating that the development will meet a BREEAM (or equivalent) assessment rating of 'excellent' has been submitted to, and approved in writing, by the Local Planning Authority. Thereafter the development will be implemented in accordance with the approved details.

Reason: To ensure that the development achieves a BREEAM (or equivalent) assessment rating of 'excellent' in accordance with Policy 24 of the Core Strategy and Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

13. No development shall commence above foundation level until details of the landscaping implementation and maintenance have been submitted to, and approved in writing, by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details. The soft landscaping scheme shall be maintained for a minimum 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 a satisfactory form of development in accordance with Policies DM6 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

14. The development hereby permitted shall not be first used until such time as the parking and turning facilities have been implemented in accordance with Darwin Group drawing number 180769 DG 02 XX DR A 1202 Rev. P3. Thereafter the onsite parking and turning provision shall be kept available for such uses 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 (2024).

15. Within one month of the development hereby permitted being first used, the existing vehicular access on Mount Road that becomes redundant as a result of this proposal shall have been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

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

16. The development hereby permitted shall not be first used until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

17. The rating level of the noise emitted from fixed plant and equipment (mechanical and electrical) located at the site shall not exceed the existing background level at any premises used for residential purposes surrounding the site when assessed in accordance with BS 4142:2014+A1(2019).

Reason: To protect the environment and local residents from nuisance from noise in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

18. No external lighting of the site shall be installed until details have been submitted in writing to, and approved in writing, by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). Thereafter lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy DM10 of the

adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

19. All ecological mitigation measures and/or works shall be carried out in accordance with the details contained in the submitted Preliminary Ecological Appraisal (Geosphere Environmental, April 2025). This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

20. Demolition/development shall be carried out in accordance with the Construction Ecological Management Plan (CEMP) – Addendum for Demolition prepared by Red Kite dated 15/07/2026.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

21. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (Geosphere Environmental, April 2025) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);

- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

22. Prior to first use of the development, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority.

The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

23. Prior to commencement of the development a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, including:
- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

Notes to Applicant

1. Your attention is drawn to the below Biodiversity Net Gain note. The development is subject to the "biodiversity gain condition". A Biodiversity Gain Plan needs to be submitted to and approved in writing by the planning authority prior to commencement of development.
2. In relation to conditions relating to land contamination 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.
3. 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.

4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
5. 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