



Discharge of Conditions

Submitted November 2025

In respect of: -

**Notification to determine if Prior Approval is required for the
change of use of an agricultural building to a dwelling house (Class
C3). 45 Bagworth Road, Newbold Heath, Newbold Verdon,
Leicester
(Ref: 24/01016/P3CQ)**

Benchmark Design Build Ltd

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Conditions in the order that they appear in the approval document of the 4th of November 2024 (Ref; 24/01016/P3CQ).

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details.

Response: Understood

2. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Response: Please refer to the accompanying land contamination desktop study, which notes this site as 'passed'. Whilst this report does reference a now disused petrol station within 100m to the south, the station is no longer in service (and hasn't been for at least 10yrs) and dwellings have been built in its place.

Furthermore, the barn to which this application relates was built by our clients in 2002/2003 on land which was previously a field and has never been used for the storage of any materials or products which could lead to land contamination.

Given that the proposal of application 24/01016/P3CQ specified the existing steel frame of the barn will be retained and therefore groundworks will be extremely minimal, we are not envisaging any issues to arise from the minor excavations required to enable this build.

Nevertheless, in the unlikely event that any contaminants are found during construction, work will cease immediately, the local authority will be notified and the suspected contaminated soil will be investigated by specialist assessors where all advice for remedial works will be followed for the remainder of the build.

3. If during development contamination not previously identified is found to be present at the site no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

Response: Understood

4. Site preparation and construction shall be limited to the following hours;
Monday ' Friday 07:30 ' 18:00
Saturday 08:00 ' 13:00
No working on Sundays and Bank Holidays

Response: Understood.



5. The development hereby permitted shall not be occupied until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted in writing to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.

Response: Please refer to drawing SK-DOC-001.1 which illustrates the areas of refuse & recycling storage areas as well as the area for bins on collection day. The details of this drawing will be adhered to prior to and during the occupation of this development.

6. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 7.25 metres, and shall be surfaced in a bound material with a 7.3 metre dropped crossing. The access once provided shall be so maintained at all times.

Response: Understood. The existing access spans 7.25m wide and the existing dropped crossing currently extends to a width of 10m as shown on drawing reference SK-DOC-001.1 and on drawing ref; 5564-05 of the approved planning application (reference 24/01016/P3CQ).

7. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 x 160 metres to the south of the access and 2.4 x 120 metres to the north of the access have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Response: Understood. Please refer to drawing reference SK-DOC-001.2 which demonstrates the visibility splays in both the Northern and Southern directions from the development exceeding 160m at 2.4m from edge of carriageway. These details will be implemented prior to the occupation of the dwellings.

8. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with ADL drawing number 5564-05. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Response: Understood. Please refer to drawing reference SK-DOC-001.1 which demonstrates the necessary turning and parking facilities as specified on the aforementioned ADL drawing 5564-05. These details will be implemented prior to the occupation of the dwellings.

9. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5.0 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Response: Understood. Please refer to drawing reference SK-DOC-001.1 which demonstrates the extent of hard bound surfacing required. This drawing will be adhered to prior to the occupation of the development.

10. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted



Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

Response: Understood. The existing gates on the highway boundary have already been removed and the replacement gates will be installed a minimum of 5m from the highway boundary prior to occupation of the development. Please refer to drawing SK-DOC-001.1.

11. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Response: Foul drainage will discharge into the existing foul drainage for No.45 Bagworth Road via 110mm and 150mm diameter pipes. Meanwhile the surface water will connect into the existing surface water culvert/swale located north of the site entrance. Please refer to drawing SK-DOC-001.3 of this application which contains details of both foul and surface water disposal.

12. The residential curtilage shall be limited to the red line area as outlined in the Proposed Block Plan on Drawing No. SK-PL-001.1 (submitted 04.11.2024).

Response: Understood