

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended)
Approval of Details Reserved by Condition

DECISION NOTICE

Name and Address of Agent

Mr Steve Clifford
C/o Mrs Jackie Amos
IMA Architects
6 Rose Way
Blaby Business Park
Lutterworth Road
Blaby
LE8 4BY

Name and Address of Applicant

Mr Steve Clifford

Part I – Particulars of Application

Planning Reference: 26/00635/DISCON

Application Site: JJ Churchill Ltd Station Road Market Bosworth

Proposal: Application to discharge conditions 5 (CEMP), 6 (Land Contamination) and 8 (Landfill Gas) attached to planning permission 23/00646/FUL

Part II – Summary of Decision

CONDITIONS PARTIALLY DISCHARGED

Condition 5 Land Contamination

C6 & C8 - Market Bosworth Investigation Strategy – Received 12/8/26

Condition 8 Landfill Gas

C6 & C8 - Market Bosworth Investigation Strategy – Received 12/8/26

The details submitted are **ACCEPTABLE** and conditions **6 & 8** are **PARTIALLY DISCHARGED** to enable the approved investigations to be undertaken. The outcome and any mitigation measures are required to be provided to the LPA for approval.

CONDITION DISCHARGED

Condition 5 Construction Environmental Management Plan (CEMP)

C5 - Construction Environmental Management Plan – Received 12/8/26

The details submitted are **ACCEPTABLE** and the condition 5 is **DISCHARGED**. The development must be carried out in strict accordance with the above approved documents and the full terms of the condition.

C. Brown.

Date: 30 September 2026

Christopher Brown MRTPI
Head of Planning

Part III – Particulars of Decision

Condition 5 CEMP Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

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

Condition 6 Land Contamination No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted in writing to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details, and any remediation works so approved shall be carried out prior to the site first being occupied.

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

Condition 8 Landfill Gas Prior to commencement of development a scheme for the monitoring of landfill gas on the site shall be submitted to and in writing by the Local Planning Authority which shall include details of how any landfill gas shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details, and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: As the site lies within 250 metres of a known landfill/made up ground site and in the absence of detailed information which demonstrates that the site does not have ground gas egress, in order to safeguard human health and to ensure that the necessary measures are

taken to avoid any risk to public safety, in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Consultees – HBBC Environmental Services

Assessment:

Condition 5 CEMP

The Construction Environmental Management Plan details how the developer will mitigate potential impacts that may arise from the development. These include how they can mitigate dust, lighting and noise during the construction period of the site and how this will be managed and monitored. There will be a designated compound for parking, welfare facilities and materials storage to avoid on street parking on the highway. A complaints procedure is provided along with a commitment that all those attend the site are aware of the health and safety requirements implemented on site. The Council's Environmental Services Officer is satisfied that the measures in place will help to reduce disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and therefore the condition is eligible for discharge.

Condition 6 & 8 Land Contamination and Landfill Gas

A letter from Igne, a specialist in end-to-end ground investigations details how the development area will be assessed for any potential land contamination and landfill gas. The proposed investigations are acceptable to the Council's Environmental Services Officer. The document confirms that any findings from the intrusive investigations with recommendations of any required mitigation strategy for land contamination or ground gas will be provided in a report on completion of the works and submitted to the Borough Council for approval. Should the report recommend that further action is required to mitigate the risk posed by either ground contamination or ground gas that it will include a remediation strategy for submission and approval.

The conditions are eligible for a partial discharge to enable intrusive investigations to be undertaken to establish what, if any mitigation may not be required.

Note to Applicant:

- Where conditions are not discharged, the applicant has the right to appeal the decision via the Planning Inspectorate. Details of how to appeal can be found at: www.gov.uk/appeal-planning-decision
Alternatively, the applicant may submit a new application, together with the relevant fee and supporting documentation addressing the outstanding requirements.
- **Where conditions have been partially discharged, the applicant is required to submit a new application to fully discharge the condition together with the relevant fee and supporting documentation addressing the outstanding requirements.**