

Hinckley & Bosworth Borough Council

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

DECISION NOTICE

Name and Address of Applicant

Mr Mitesh Rathod
Jelson Limited
370 Loughborough Road
Leicester
LE4 5PR

Name and Address of Agent (if any)

Part I – Particulars of Application

Planning Ref: 25/00408/DISCON

Application Site: Land Off Captains Lane Markfield

Proposal: Application to discharge Conditions 4 (surface water drainage), 7 (landscape and biodiversity management plan), 8 (SuDs), 13 (badger survey), 16 (boundary treatment), 21 (land contamination), 26 (public rights of way), 27 (landscaping) and 29 (play spaces) attached to planning permission 25/00642/CONDIT

Part II – Summary of Decision

CONDITIONS DISCHARGED

In pursuance of its powers under the Town and Country Planning Act 1990 (as amended), the Local Planning Authority hereby approves the details submitted in relation to the following conditions:

Condition 4 (Surface Water Drainage)

Condition 13 – Badger Survey

Condition 16 – Boundary treatments

Condition 21 – Remediation works

Condition 26 – PROW Scheme

Condition 27 – Landscaping

Condition 29 – Open Space Play Equipment

CONDITIONS PARTIALLY DISCHARGED

In pursuance of its powers under the Town and Country Planning Act 1990 (as amended), the Local Planning Authority hereby approves the details submitted in relation to the following conditions for Phase 2 of the development only:

Condition 7 - Biodiversity Management Plan

Condition 8 – SUDs for wildlife habitat

Part III - Particulars of Decision

Condition 4

No development shall take place within Phases 2, 3 and 4 until such time as a surface water drainage scheme for that phase has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the details and operations prior to first occupation of each phase. The surface water drainage scheme for Phase 1 shall be in accordance with the scheme approved through the Discharge of Condition decision reference 21/01302/DISCON as follows:

Received 2 February 2022

C5 FW2127-C-007 Drainage Areas Plan

C5 FW2127-C-008 Exceedance Flow Routes

C5 Long Sections Sheet 2 of 5 Drg No. FW2127-C-006-02 Rev A4

C5 FW2127-C-003-04 P1 Private Drainage Sheet 4 of 4

C5 FW2127-C-003-03 P1 Private Drainage Sheet 3 of 4

C5 FW2127-C-003-02 P1 Private Drainage Sheet 2 of 4

C5 FW2127-C-003-01 P1 Private Drainage Sheet 1 of 4

Received 21 October 2022

C5 Storm Network FW2124 S104

C5 Section 104 Layout Sheet 1 of 5 Drg No. FW2127-C-005-01 Rev A2

C5 Section 104 Layout Sheet 2 of 5 Drg No. FW2127-C-005-02 Rev A2

C5 Section 104 Layout Sheet 3 of 5 Drg No. FW2127-C-005-03 Rev A2

C5 Section 104 Layout Sheet 4 of 5 Drg No. FW2127-C-005-04 Rev A2

C5 Section 104 Layout Sheet 5 of 5 Drg No. FW2127-C-005-05 Rev A2

C5 Section 104 Layout (Overview) 5 of 5 Drg No. FW2127-C-005-06 Rev A2

C5 Long Sections Sheet 1 of 5 Drg No. FW2127-C-006-01 Rev A2

C5 Long Sections Sheet 3 of 5 Drg No. FW2127-C-006-03 Rev A2

C5 Long Sections Sheet 4 of 5 Drg No. FW2127-C-006-04 Rev A2

C5 Long Sections Sheet 5 of 5 Drg No. FW2127-C-006-05 Rev A2

C5 Adoptable Manhole Schedules Drg No. FW2127-C-006-06 Rev A2 C5 Adoptable Drainage

Construction Details Sheet 1 of 2 Drg No FW2127-C-010-01 Rev A2 C5 Adoptable Drainage

Construction Details Sheet 2 of 2 Drg No FW2127-C-010-02 Rev A1

Received 2 February 2022

C5 Long Sections Sheet 2 of 5 Drg No. FW2127-C-006-02 Rev A4

Received 7 April 2026

Private Drainage Layout Overview Drw No. FW2127-P2-C-003-09

Private Drainage Layout Sheet 2 of 8 Drw No. FW2127-C-003-09

Private Drainage Layout Sheet 3 of 8 Drw No. FW2127-C-003-03

Private Drainage Layout Sheet 4 of 8 Drw No. FW2127-C-003-04

Private Drainage Layout Sheet 5 of 8 Drw No. FW2127-C-003-05

Private Drainage Layout Sheet 6 of 8 Drw No. FW2127-C-003-06

Private Drainage Layout Sheet 7 of 8 Drw No. FW2127-C-003-07

Private Drainage Layout Sheet 8 of 8 Drw No. FW2127-C-003-08

Received 2 April 2026

S104 Storm Network 3 2025-09-23

Drainage Areas Plan Sheet 1 of 2 Drw No. FW2127-P2-C-007-01

Drainage Areas Plan Sheet 2 of 2 Drw No. FW2127-P2-C-007-02

Drainage Areas Plan Overview Drw No. FW2127-P2-C-007-03

Adoptable Drainage Construction Details Sheet 2 of 5 Drw No.FW2127-P2-C-010-02

Exceedance Flow Routes-Overview Drw No. FW2127-P2-C-016

S104 AG2 Long Sections Sheet 3 of 3 Drw No. FW2127-P2-C-061-3

C4 – Surface Water Drainage – Received 17 April 2025

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council

Conclusion / Summary:

The proposed surface water drainage scheme for Phases 2, 3 and 4 features two separate networks with runoff restricted to 13.2l/s and 5l/s respectively. Flood volumes are stored within two attenuation basins, prior to discharging to an existing ditch/watercourse running through the middle of the site.

The LLFA provided a further consultation response to this application on 28th November 2025, requesting the submission of additional information as summarised below:

- Hydraulic calculations (including modelling with a surcharged outfall)
- Catchment area plan
- Private drainage levels (note that private drainage cover levels must be above the peak design hydraulic gradient)
- Cross-sectional details of the proposed attenuation basin and flow control chamber (site specific, rather than typical).
- Details of pervious paving identified within plans submitted as part of 20/01283/FUL.
- Clarification of the Hydrobrake chamber cover level and engineered overflow mechanism.
- Flood flow routing in the event of blockage or exceedance

The applicant submitted documents which addressed most of the issues, however the LLFA followed up with an informal response requesting clarification on some minor discrepancies on the flow control chambers. A response to this email was received on 2nd June 2026. The LLFA is now satisfied that the documents submitted are sufficient for the LLFA to suppose the discharge of Condition 4.

Officer recommendation: Discharge**Condition 7**

No development shall commence above damp proof course level in Phases 2, 3 and 4 until a landscape and biodiversity management plan has been submitted to and approved in writing by the Local Planning Authority. Phase 1 shall be carried out in accordance with the details - C9, C10 & C29 Landscape Management Plan Rev B received 27 July 2022 and C9 & C10 Biodiversity Management Plan received 9 December 2021 as part of the Discharge of Condition decision reference 21/01467/DISCON

Information submitted: C7 - Biodiversity Management Plan (Phase 2) Land at Lower Grange Farm Phase 2 (FPCR, March 2025) Final**Consultees / Assessed by: LCC Ecology****Conclusion/summary:**

LCC Ecology have reviewed the submitted Biodiversity Management Plan (Phase 2) Land at Lower Grange Farm Phase 2 (FPCR, March 2025) Final which we note is Appendix C of the Landscape Management Plan for land at Lower Grange Farm Phase 2 (FPCR, March 2025) First draft.

LCC Ecology are satisfied that the Biodiversity Management Plan provides details of appropriate protection measures for retained habitats and details for habitats to be created based on the Ecological Appraisal (FPCR, 2018) submitted to support the consented development. The BMP includes details of species enhancements for bats and priority and threatened species of birds to be installed on both existing trees and residential dwellings within Phase 2.

The Landscape Management Plan for land at Lower Grange Farm Phase 2 (FPCR, March 2025) First draft sets out the long-term design objectives and management regimes to conserve and enhance the retained habitats and establish new habitats of value for a range of faunal species.

The submitted details relate to Phase 2 of the development only and therefore only partial discharge of this condition can be permitted, full details of the other phases of development will need to be submitted prior to full discharge of this condition.

Officer recommendation: Partial Discharge

Condition 8

No development shall take place within Phases 2, 3 and 4 until full details of the SuDs for that phase have been submitted to and approved in writing to demonstrate how they have been designed to support wildlife habitat. The SuDs shall be completed in accordance with the agreed details by the occupation of the final dwelling in each phase. The SuDs in respect of Phase 1 shall be carried out in accordance with the details - C9, C10 & C29 Landscape Management Plan Rev B received 27 July 2022 and C9 & C10 Biodiversity Management Plan received 9 December 2021 as part of the Discharge of Condition decision reference 21/01467/DISCON.

Information submitted: C8 – Landscape Management Plan (FPCR, 05.03.25)

Consultees / Assessed by:

LCC Ecology, Lead Local Flood Authority

Conclusion / Summary: LCC Ecology have assessed the Landscape Management Plan both during the initial consultation and re-consultation stages and have discharged the relevant condition. Whilst there has been no specific mention of Condition 8 in the LCC Ecology responses, Officers reviewed the relevant information and are satisfied that the proposal will incorporate SUDs that are appropriately designed to support wildlife habitat.

The SuDs basin and banks are to be seeded with EM8 Meadow Mixture for Wetlands from Emorsgate (or similar, approved). As detailed in the LMP, long-term management will consist of mowing or strimming during late July/August with a final cut will be taken in late Autumn. Whilst the primary function of the attenuation basin is flood alleviation, its biodiversity value will be increased to provide a second function as wildlife habitat.

The submitted details relate to Phase 2 of the development only and therefore only partial discharge of this condition can be permitted, full details of the other phases of development will need to be submitted prior to full discharge of this condition.

Officer Recommendations: Part Discharge

Condition 13

Within 3 months of any ground clearance of Phase 2, 3 and 4 of the development hereby approved, an updated Badger Survey for the relevant phase shall have been carried out on site and have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved survey and in accordance with any mitigation measures identified. In respect of Phase 1 the development shall be carried out in accordance with the approved survey and any mitigation measures identified through the Discharge of Condition decision reference 21/01467/DISCON and C15 Phase 1 Badger Update 19/1/22 received 26/1/22

Information submitted: Updated Badger survey report (FPCR, 25 June 2025)

Consultees / Assessed by: LCC Ecology

Conclusion / Summary: LCC Ecology have assessed the updated badger report and found no evidence of any badger or setts within any phases of the site or wider area. The report provides precautionary mitigation measures to avoid impacts to Badger during the construction period, which should be followed. In summary, there is sufficient evidence to discharge this condition.

Officer Recommendations: Discharge

Condition 16

Notwithstanding the approved plans, no development shall take place within Phase 2, 3 or 4 until details of all rear boundary treatments for each dwelling within that phase has been submitted to and approved in writing. The approved boundary treatment shall be completed for each plot prior to its occupation. In respect of Phase 1 the boundary treatments shall accord with the details - C17 & C18, Scheme of Ventilation & Boundary Treatment Plan (Phase 1) Rev B received 16/3/22 approved as part of the Discharge of Condition decision reference 21/01467/DISCON.

Information submitted: Materials Boundary Treatment and Scheme of Ventilation Overall Rev E

Consultees / Assessed by: HBBC Environmental Health

Conclusion / Summary: HBBC Environmental health have assessed the submitted information and have confirmed that the condition can be discharged.

Officer Recommendations: Discharged.

Condition 21

Upon completion of the remediation works a verification report shall be submitted to and approved by the Local Planning Authority. The verification report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site.

Information submitted: Technical note – PJS Geotechnical Engineers (PJSG21-15-RT-02)

Consultees / Assessed by: HBBC Environmental Health

Conclusion / Summary: HBBC Environmental health have assessed the submitted information and have confirmed that the condition can be discharged.

Officer Recommendations: Discharge

Condition 26

No development of Phase 2, 3 or 4 containing a public right of way shall commence until a scheme for the treatment of the public rights of ways have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of their management during construction, surfacing, width, structures, signing, landscaping and their implementation in accordance with the principles set out in the Leicestershire County Councils Guidance Notes for Development. The approved scheme shall be adhered to and implemented in strict accordance with the scheme. In respect of Phase 1 the development shall be carried out in accordance with the information within the Cover Letter to all Conditions received 9 December 2021 as part of the Discharge of Conditions application reference 21/01467/DISCON.

Information submitted:

Temporary PROW Diversion Plan
Site footpath surfacing material

Consultees / Assessed by: LCC Highways

Conclusion / Summary: An email received from the LHA on 30/04/2026 confirms that internal discussions were held between the LHA and Applicant, and that the LHA are now satisfied that the Condition can be formally discharged.

Officer Recommendations: Discharged

Condition 27

Notwithstanding the approved plans, no development shall commence above damp proof course level in Phases 2, 3 and 4 until a scheme of hard and soft landscaping works for that phase which shall also including a landscape management plan, has been submitted to and approved in writing by the local planning authority. The Landscape Management Plan shall cover implementation, long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens. The development shall be carried out in full accordance with the approved landscaping scheme and implementation scheme. The soft landscaping scheme shall be maintained for a 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.

Information submitted:

General Arrangement Plan – On Plot Detailed Planting

General Arrangement Plan – On Plot Detailed Planting

Landscape Management Plan – Lower Grange Farm Phase 2 (FPCR, 2025)

Consultees / Assessed by: Officer

Conclusion / Summary: The Landscape Management Plan covers the implementation, long term objectives, management responsibilities and maintenance schedules for all landscape areas. The soft landscaping scheme will be carried out in the first planting and seeding season following occupation and the hard landscaping will be completed prior to occupation. The details provided demonstrate that the development will have a satisfactory eternal appearance within a reasonable timeframe and in accordance with Policies DM4 and DM10 of the SADMP.

Officer Recommendations: Discharge

Condition 29

Prior to first occupation of the development hereby approved, full details of the equipment to be provided within the designated equipped play spaces as indicated on:-

Detailed Planning Layout (1 of 4) - Drg No. 6675-A-01H received 12 March 2021

Detailed Planning Layout (2 of 4) - Drg No. 6675-A-02G received 12 March 2021

Detailed Planning Layout (3 of 4) - Drg No. 6675-A-03H received 12 March 2021

Detailed Planning Layout (4 of 4) - Drg No. 6675-A-04H received 12 March 2021

Shall be first submitted to and agreed in writing by the Local Planning Authority. The agreed play equipment shall be provided in full within one month of the final dwelling being occupied

Information submitted: Lower Grange farm LEAP & Lap Plans (SSQ15780Rev3) received 03/06/26

Consultees / Assessed by: HBBC Compliance & Monitoring Officer

Conclusion / Summary:

Following discussions with the LPA, the entire LAP and LEAP areas are now equipped to fulfil their respective roles. Details regarding the boundary and surfacing treatment of the LEAP, as well as furniture such as benches and dog foul waste bins has also been provided.

Officer Recommendations: Discharged

Date: 11 June 2026

C. Brown.

**Christopher Brown MRTPI
Head of Planning**