

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Discharge of Conditions

Name and Address of Applicant

Mr Sanim Macer
Land and Buildings off Willowbank Road
Hinckley
Leicestershire
LE10 0QP

Name and Address of Agent (if any)

Mr P Adler
AP Building Design
8 Orton Road
Warton
Tamworth
B79 0HT

Part I – Particulars of Application

Planning Reference 25/00363/DISCON

Application Site: Land to the Rear of 47 Clarendon Road, Hinckley, Leicestershire

Proposal: Application to discharge Conditions 3 (Materials), 7 (Hard and Soft Landscaping) and 10 (Land Contamination) attached to planning permission 22/01079/CONDIT

Part II – Summary of Decision

The details submitted with the following conditions are **ACCEPTABLE** and the conditions are hereby **FULLY DISCHARGED**, subject to all works being carried out strictly in accordance with the full terms of the conditions:

Condition 03 (Materials)

Condition 07 (Hard and Soft Landscaping)

The details submitted are **ACCEPTABLE** and the condition is hereby **PARTIALLY DISCHARGED** for commencement purposes, subject to all works being carried out strictly in accordance with the full terms of the condition.

Condition 10 (Land Contamination)

Note to Applicant

Condition 10 has been PARTIALLY DISCHARGED to enable the commencement of development in strict accordance with the remediation strategy outlined in the Interpretative Desk Study and Exploratory Investigation Report. To FULLY DISCHARGE Condition 10, a Verification Report must be submitted to, and approved in writing by, the Local Planning Authority in accordance with Section 8.3.1 of the Interpretative Desk Study and Exploratory Investigation Report.

A further discharge of condition application is required to discharge the planning conditions attached to planning permission 22/00698/FUL.

Part III – Particulars of Decision

Information that the Developer provided to the Local Planning Authority:

- Materials Schedule Email (submitted: 16.06.2025)
- Proposed Landscape Plan (20-044 4000A) (submitted: 28.07.2025)
- C10 – Site Containment Report (submitted: 16.05.2025)

Condition 3 (Materials)

“No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwellings hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.”

The Applicant confirmed via email that the scheme shall be constructed with Forterra Worcester red bricks, anthracite grey uPVC windows, and FP McCaen large format Terracotta roof tiles. These proposed materials are considered to ensure that the development has a satisfactory appearance. Therefore, the proposal is considered to be in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and it is recommended that planning condition 03 of planning permission 22/01079/CONDIT can be fully discharged.

The details submitted are ACCEPTABLE and the condition is hereby FULLY DISCHARGED, subject to all works being carried out strictly in accordance with the full terms of the condition.

Condition 7 (Hard and Soft Landscaping)

“No development shall take place beyond foundation level until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority. The scheme shall be carried out in full accordance with the approved landscaping

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.”

The Applicant submitted a revised Proposed Landscaping Plan on 28 July 2025 that retains the existing boundary treatment on the northern, eastern, and western boundaries of the site. On the southern boundary of the site, which is adjacent to Willowbank Road, the scheme features new native hedgerow planting and tree planting that is sited in front of a 1.8m high brick wall. New hedgerow planting is also proposed within the private amenity areas of the new dwelling. By virtue of these factors, it is considered that the proposed landscaping works ensure that the scheme has a satisfactory external appearance in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016). Therefore, it is recommended that planning condition 07 of planning permission 22/01079/CONDIT can be fully discharged.

The details submitted are ACCEPTABLE and the condition is hereby FULLY DISCHARGED, subject to all works being carried out strictly in accordance with the full terms of the condition.

Condition 10 (Land Contamination)

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

This information has been assessed by the Council's Environmental Health Department, who confirmed that the remediation strategy outlined in the Interpretative Desk Study and Exploratory Investigation Report is satisfactory and one of the two options should be chosen and carried out. As per Section 8.3.1 of this Report, a Verification Report will be required on completion of the works to fully discharge the condition and should contain the details highlighted in that section.

By virtue of these factors, the proposed remediation strategy ensures that risk from land contamination to future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016). Therefore, in accordance with the recommendations of the Council's Environmental Health Department, it is recommended that Condition 10 of planning permission 22/01079/CONDIT is partially discharged. A further discharge of conditions application will be required to fully discharge the condition upon completion of the Verification Report.

The details submitted are ACCEPTABLE and the condition is hereby PARTIALLY DISCHARGED for commencement purposes, subject to all works being carried out strictly in accordance with the full terms of the condition.

Date: 01 August 2025

C. Brown.

Christopher Brown MRTPI
Head of Planning