

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 Harvey Barnes
Bellway Homes Ltd (East Midlands)
3 Romulus Court
Meridian Business Park
Meridian East
Leicester
LE19 1YG

Name and Address of Applicant)

Part I – Particulars of Application

Planning Reference: 26/00411/DISCON

Application Site: Land Off Desford Lane Ratby

Proposal: Application to discharge condition 6 (Highway Landscaping) attached to planning permission 24/01090/REM

Part II – Summary of Decision

CONDITIONS DISCHARGED

Condition 6 Highway Landscaping

C6 Detailed POS Planting Plan – General Arrangement Sheet 1 of 4 0005 S3 P10

C6 Detailed POS Planting Plan – General Arrangement Sheet 2 of 4 0006 S3 P10

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

Date: 14 September 2026



Christopher Brown MRTPI
Head of Planning

Part III – Particulars of Decision

Condition 6 Highway Landscaping

Notwithstanding any of the approved landscape or detailed planting plans set out in Condition 1, prior to development above floorplate level, full details of additional landscaping to both sides of the realigned Desford Lane, as indicated at outline application stage, shall be submitted to and agreed in writing by the Local Planning Authority. The reserved matters application shall thereafter be implemented in accordance with all approved details. All relevant on plot landscaping shall be carried out prior to the occupation of the relevant dwelling. All public open space and highway landscaping shall be completed with twelve months of occupation of 75% of the dwellings. 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.

Reason: In the interests of the amenity of future residents and the character and appearance of the site and surrounding area in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Consultees – LCC Highways

Assessment:

Whilst the Highway Authority did not specifically request this condition, the proposed landscaping is to be located within the adopted highway. In its earlier consultation response, the Highway Authority noted that the scheme included landscaping on only one side of Desford Lane, comprising a native hedgerow along the site boundary, an area of long meadow grass set back from the carriageway, and a grass verge strip to be regularly mown.

The proposals also include the planting of three feature trees at the development entrance, positioned sufficiently away from the highway to avoid any conflict with visibility splays or highway safety requirements. These measures provide a low-maintenance landscaping scheme that will contribute positively to the appearance of the approach to the development following the road widening works.

Subsequently, a revised landscaping plan was submitted by the applicant which now includes landscaping on the north-western side of Desford Lane. This area is proposed to comprise a low-maintenance grass verge constructed in accordance with BS 4428. Originally in the outline application it was demonstrated as thicket and tree planting, however these can be costly to maintain highways safety and the Local Planning Authority and Local Highway Authority are satisfied that appropriate landscaping will be delivered by way of a low maintenance grass verge following the realignment of Desford Lane would be the most appropriate. The proposed scheme will ensure that the appearance of the highway corridor is acceptable and remains in keeping with the character of the surrounding area in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

It is noted that highway works will also be covered by a Section 278 Agreement and should any changes occur following this approval the applicant can apply to re-discharge the condition if necessary

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.