

Delegated Report

Planning Ref: 25/00027/OUT

Applicant: Mr Toby Riley

Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Land East of Bosworth Water Park, Wellsborough Road

Proposal: Outline planning permission for a leisure and recreation development to include a family health and wellbeing spa, holiday lodges and a wedding venue. (All matters reserved except for access)

1. Recommendations

- **Grant planning permission** subject to planning conditions outlined at the end of this report

2. Planning application description

2.1. The application is in outline with all matters reserved, except for access. The propose comprises:

- Erection of a health spa
- Erection of a wedding venue
- Car parking and electric charging points
- Holiday lodges with parking spaces
- Access from Coton Bridge Lane

3. Description of the site and surrounding area

3.1. The site is sited to west of Market Bosworth and is located in open countryside. The site lies to the east of Coton Bridge Lane and south of Wellsborough Road. The site comprises of an arable field that the applicant advises is used for the production of Christmas trees.

4. Relevant planning history

None

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site, and a notice was displayed in the local press.

5.2. One objection has been received from a local address on the following grounds:

- Rights of people to a rural lifestyle choice – Not material
- Loss of farming values and rights being lost to urbanisation – Not Material
- Protection of farming land for providing food to the population.
- Rights of nature to exist in all forms on the site
- Traffic congestion and additional pollution particularly from extra cars using the main roads directly outside the schools.
- Adverse impact on historic landscape of Market Bosworth.
- Increase in CO2 emissions

- Erosion of single track roads from excessive traffic movements
- Adverse impact on roadside grass verges on single/double track roads caused by excessive car movement

6. Consultation

6.1. No objections received from all relevant consultees, subject to conditions and informatives:

- LCC Ecology
- LCC Highways (LHA)
- LCC Drainage (LLFA)
- LCC Archaeology
- LCC Minerals & Waste
- LCC Develop Contributions
- HBBC Pollution
- HBBC Waste
- East Midlands Airport
- National Grid
- National Gas Transmission
- Natural England
- National Grid

7. Policy

7.1. Market Bosworth Neighbourhood Plan (MBNP) 2014-2026

7.2. Core Strategy (2009)

- Policy 23: Tourism Development

7.3. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Archaeology
- Drainage
- Ecology
- Heritage

Assessment against strategic planning policies

- 8.1. Paragraph 2 of the National Planning Policy Framework (NPPF) (2023) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.
- 8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) (CS) the Site Allocations and Development Management Policies DPD (2016) (SADMP) and the Market Bosworth Neighbourhood Plan.
- 8.3. The Emerging Local Plan for 2020-2041 is currently at Regulation 18 stage, with the public consultation running from Wednesday 31 July to Friday 27 September 2024. The latest Local Development Scheme (LDS), was published on 06 March 2025. The update revises the timetable for production of the Local Plan and establishes key milestones for public consultations, including the Regulation 19 Consultation which is not scheduled until March-April 2026. Given the early stage of the Emerging Local Plan and outstanding evidence, the emerging policies are attributed very limited weight.
- 8.4. The application site is situated outside any defined settlement boundary and therefore located within the countryside. Policy DM4 of the SADMP seeks to safeguard the countryside from unsustainable development. Policy DM4 identifies several criteria outlining where development in the countryside will be considered sustainable.
- 8.5. Policy DM4 of the SADMP identifies that development in the countryside will be considered sustainable where proposed development is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; subject to it meeting further detailed criteria.
- 8.6. However, Policy DM4 of the SADMP identifies that a proposal which significantly contributes to economic growth, job creation and/or diversification of rural business could be acceptable subject to meeting other criteria. It is accepted that the proposal

would result in economic growth as part of the construction process and ongoing use of the spa, lodges and wedding venue.

- 8.7. MBNP Policy CE1 requires that new development will be in keeping with its Character Area with regards to scale, layout and materials to retain a local distinctiveness and create a sense of place.
- 8.8. MBNP policy CE5 states: In the open countryside outside the settlement boundary, new development will only be permitted:
- 8.9.
- a. where it contributes to the local economy
 - b. for the re-use or extension of an existing building or
 - c. for sport or recreation or
 - d. for new dwellings in the circumstances identified in paragraph 55 of the Framework. In all cases development will only be permitted where it does not cause harm to the landscape or biodiversity of the countryside that cannot be effectively mitigated.
- 8.10. The proposal would be visible from the adjacent Character Areas to the west and east which are for Leisure and Tourism. The indicative design of the proposal is considered to be sensitive to the principal characteristics of the Character Area, and would serve a compatible function with the neighbouring leisure and Tourism uses. The proposal is also considered to contribute positively to the local economy and would be used for sport and recreation. The proposal is therefore considered to accord with the MBNP in this regard.
- 8.11. Policy 11 of the Core Strategy seeks to support the development of the tourism industry within Key Rural Centres Stand Alone, for which Market Bosworth is considered to be. Policy 23 of the Core Strategy encourages tourism development, including accommodation where it meets the following criteria:
- The development can help to support existing local community services and facilities: and
 - Is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping: and
 - The development adds to Hinckley & Bosworth's local distinctiveness:
 - Complements the tourism themes of the borough: and
 - The development adds to the economic wellbeing of the area.
- 8.12. The proposed development would extend, and therefore support and complement, an existing local tourism facility, subsequently enhancing the distinctiveness and economic wellbeing of the Borough.
- 8.13. The proposal is therefore considered acceptable in principle. However, this is subject to the proposal being acceptable with respect to all other material planning considerations, as set out below.

Design and impact upon the character of the area

- 8.14. Policy DM10 of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and that the use and application of

building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally.

- 8.15. Paragraph 135 of the NPPF states that planning decisions should ensure that development is visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 8.16. Policy 23 of the Core Strategy encourages tourism development, including accommodation where it meets the following criteria:
- The development can help to support existing local community services and facilities: and
 - Is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping: and
 - The development adds to Hinckley & Bosworth's local distinctiveness:
 - Complements the tourism themes of the borough: and
 - The development adds to the economic wellbeing of the area.
- 8.17. The application is in outline with all matters reserved, except for access. The application is supported by indicative plans and a landscape assessment.
- 8.18. Indicative plans propose the main spa building to the north of the site and fronting Wellesborough Road, with 38 lodges sited in an inverted-S formation to the rear with 3 interspersed ponds and a wedding building to rear of the lodges and south of the site.
- 8.19. The design and form of the spa and wedding venue buildings would be single storey with a wide and expansive form and of a contemporary and a modernist design. The buildings would be constructed in a light-coloured stone, with largely blank facing front elevations with the active elevation and windows to the rear, presumably to allow for privacy. Proposed lodges would be of a contemporary and modernist design, of timber construction and with high roof pitches with lower eaves. Extensive planting and three ponds are also proposed to create a substantial landscaping scheme throughout the site.
- 8.20. It is considered that although the application is in outline, the overall indicative design demonstrates that the proposal has the potential be designed to minimise impact and assimilate well with the surrounding area and landscape.

Impact upon neighbouring residential amenity

- 8.21. Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.22. Paragraph 130 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 8.23. Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 8.24. The lodges are considered to be sited a suitable distance from existing neighbouring residential properties, with the main spa building site towards the north of the site and with a sufficient separation distance to dwellings opposite the site and fronting Wellesborough Road.
- 8.25. The Council's Environmental Health Officer has been consulted and raises no objections, subject to conditions in relation to contaminated land, noise, lighting and CEMP.
- 8.26. This application is therefore considered to be acceptable in amenity terms, subject to the recommended conditions, and in compliance with Policy DM10 a and b of the SADMP, The Good Design Guide SPD and the requirements of the NPPF.

Archaeology

- 8.27. Policy DM13 of the SADMP states that where a proposal has the potential to impact a site of archaeological interest developers should provide an appropriate desk based assessment and where applicable a field evaluation. Paragraph 194 of the NPPF also reiterates this advice.
- 8.28. In line with the National Planning Policy Framework, Section 16, the planning authority is required to consider the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance. Paragraph 199 states that where loss of the whole or a material part of the heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the affected resource prior to its loss. The archaeological obligations of the developer, including publication of the results and deposition of the archive, must be proportionate to the impact of the proposals upon the significance of the historic environment.
- 8.29. LCC Archaeology have been consulted on the application and note that the site lies in an area of significant archaeological potential.
- 8.30. The applicant has submitted additional supporting information and archaeological works. LCC Archaeology advise that the current results are sufficient to support the planning decision, further post-determination trial trenching will be required in order to define the full extent and character of the necessary archaeological mitigation programme. A condition is therefore recommended for the necessary programme of archaeological work to be completed. The programme will commence with an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI).

Drainage

- 8.31. Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.

- 8.32. Paragraph 167 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere.
- 8.33. The applicant has submitted a flood risk assessment and drainage strategy commensurate with the type of development. The LLFA advises that the application is acceptable, subject to surface water and drainage conditions.
- 8.34. The proposal is therefore considered to satisfy Policy DM7 of the SADMP and the NPPF with respect to drainage and flooding matters.

Ecology

- 8.35. Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including long term future management. Paragraph 174 of the NPPF states that development proposals should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.
- 8.36. The applicant has submitted ecology and BNG details commensurate with the type of development. The 10% Biodiversity Net Gain will be met on site with a +62.28% increase in Habitat Units, +14.02% increase in Hedgerow Units and +30.63% increase in Watercourse Units. County Ecology have been consulted on the application and raise no objection to the proposal, subject to conditions.
- 8.37. It is therefore considered that subject to the proposed conditions requested by the County Ecology, the proposals meet the requirements of Policy DM6 of the SADMP with respect to ecology matters, as well as requirements of the NPPF.

Heritage

- 8.38. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. In determining planning applications, local planning authorities should take account of paragraph 197 of the NPPF and:
- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) The desirability of new development making a positive contribution to local character and distinctiveness.
- 8.39. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) Development Plan Document seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that the Borough Council will protect, conserve and enhance the historic environment throughout the borough. All development proposals affecting the significance of heritage assets and their setting will be assessed in accordance with Policy DM11 and will require justification as set out in this policy.
- 8.40. The proposal would introduce built form into the vicinity of the Ashby Canal Conservation Area which would alter it's a section of its rural and undeveloped setting and reduce the ability of the observer to appreciate its rural context. The magnitude of this adverse change is limited, but not wholly avoided, by virtue of a proposal to strengthen the eastern boundary planting along the site which would

reduce visibility of the proposal largely to the upper sections of some of the built form within the site, and where built form is visible in some cases (particular for the lodges) the timber clad materials for the elevation do generally reflect rural characteristics. However, some residual adverse impacts would remain, and the proposed development is considered to cause less than substantial harm at the lower end of the spectrum to the significance of the Ashby Canal Conservation Area. In accordance with Policy DM11(c) of the SADMP and paragraph 215 of the NPPF the less than substantial harm caused to the Ashby Canal Conservation Area by the proposal should be weighed against the public benefits. It is considered in this instance that public benefits of the proposal significantly outweigh any less than substantial harm. The proposal is therefore considered to accord with Policy DM11 of the SADMP and the requirements of the NPPF.

Planning Balance

- 8.41. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.42. The proposed development would support and complement an existing local tourism facility, subsequently enhancing the distinctiveness and economic wellbeing of the Borough.
- 8.43. Although in outline, the indicative design and scale of the proposal demonstrates that that the proposal could be designed to minimise impact and assimilate well with the surrounding area and landscape.
- 8.44. The LHA, LLFA and County Ecologist are overall satisfied with the proposal, subject to the recommended conditions and notes to applicant.

9. Equality implications

- 9.1 **Where No Known Implications** Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
 - (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

- **Grant planning permission** subject to planning conditions outlined at the end of this report

11.2 Conditions and Reasons / Reasons

1. An application for approval of reserved matters shall be made within two years of the date of this permission and the development shall be begun not later than 18 months from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence until details of the appearance, landscaping, layout and scale of the development (hereafter called the reserved matters) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved reserved matters.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - GL2223-10, received 14 January 2025
Topographical Survey 1 of 2 - S2260/04, received 14 January 2025
Topographical Survey 2 of 2 - S2260/05, received 14 January 2025
Development Proposal Plan - GL2223-02F, received 28 October 2025
Proposed Site Access Layout - 0101-S1-P04, received 28 October 2025
Swept Path Analysis of Site Access Layout - 0131-S1-P04, received 28 October 2025

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD 2016 and the National Planning Policy Framework (2024).

4. Notwithstanding the provisions of Classes C1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any change of use by any subsequent order, the holiday units hereby approved shall be occupied as holiday accommodation only and for the avoidance of doubt they shall not be occupied as permanent, unrestricted accommodation or a principal or primary place of residence.

Reason: This is development which is only permitted at this location because it provides holiday accommodation. This needs to be carefully controlled to accord with Policy 23 of the Core Strategy and the National Planning Policy Framework (2024).

5. No person shall occupy any part of the accommodation for a period exceeding four weeks. Furthermore, no person shall occupy the accommodation within a period of two weeks following the end of a previous period of two weeks following the end of a

previous period of occupation by that same person. The owners/operators of the holiday accommodation shall maintain an up to date register of the names and main home addresses of all the individual occupiers and shall make this information available for inspection on demand by an authorised officer of the Council.

Reason: The site of the permission is outside any area where planning permission would normally be forthcoming for residential development and is permitted only as a dwelling for holiday purposes in the interests of contributing to tourism and the economy of the area and to ensure compliance with Policy DM4 of the adopted Site Allocations and Development Management Policies DPD 2016 and the National Planning Policy Framework (2024).

6. No development shall commence on site until such a time as a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following details:
- Identification of potentially damaging construction activities
 - practical measures and sensitive working practices to avoid or reduce impacts during construction on badger, bats, otter, reptiles, hedgehogs
 - timing of works to avoid harm to nesting birds
 - responsible persons for overseeing sensitive works
 - use of protective fencing where required hedgerows, trees and ditches
 - the safe containment or removal of Invasive non-native species (INNS)

Reason: To ensure that protected species and areas of ecological value are not harmed by the development and in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

7. No development shall commence on site until such time as a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority and shall include:
- details of wheel cleansing facilities, vehicle parking facilities and a timetable for their provision.
 - how 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 and how such controls will be monitored.
 - procedure for the investigation of complaints.
- The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised; to protect the amenities of nearby residents; to reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming hazardous for road users, and to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems and in accordance with policies DM7, DM10 and DM17 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

8. No part of the development shall be occupied until such time as the offsite works shown on the Proposed Site Access Layout - 0101-S1-P04 (received 28 October 2025) have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety 5 and in accordance with Policy DM17 of the Site Allocations and

Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

9. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 27 metres to the north and 2.4 x 160 metres to the south 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.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

10. 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 20 metres of the highway boundary, nor shall any be erected within a distance of 21 metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

11. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

12. The ecological baseline shall be kept up-to-date by a regular review of the baseline surveys by a professionally qualified ecologist not less than every 18 months from the date of the previous survey - Updated Extended Surveys (prepared by Ramm Sanderson, received 10 June 2025). The survey updates shall be submitted in writing to the Local Planning Authority. Should the updated surveys identify significant changes in the baseline conditions, the relevant ecological survey(s) shall be undertaken by a professionally qualified ecologist and submitted for approval by the Local Planning Authority.

Reason: To ensure that protected species and areas of ecological value are not harmed by the development and in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

13. No development shall take place (including grounds works or vegetation clearance) until an updated barn owl survey has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out immediately prior of the likely commencement of works on site. It is to include details on mitigation measures for

nesting birds if necessary (such as exclusion areas). All works are to proceed strictly in accordance with the approved document.

Reason: To ensure that protected species and areas of ecological value are not harmed by the development and in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

14. No development shall take place (including ground works or vegetation clearance) until an updated badger survey has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out within 3 months of the likely commencement of works on site. It is to include details on mitigation measures for badgers if necessary (such as badger gates). All works are to proceed strictly in accordance with the approved document.

Reason: To ensure that protected species and areas of ecological value are not harmed by the development and in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

15. No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:
- description and evaluation of the features to be created/enhanced
 - aims and objectives of management
 - appropriate management options for achieving aims and objectives
 - prescriptions for management actions
 - work schedule
 - species/seed mixes to be planted/sown
 - ongoing monitoring and remedial measures
- The approved plan will be implemented in full accordance with the approved details.

Reason: To ensure that protected species and areas of ecological value are not harmed by the development and in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

16. The development shall not commence until a 30-year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:
- a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
 - d) Description of the management operations necessary to achieving aims and objectives;
 - e) Preparation of a works schedule, including annual works schedule;
 - f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
 - g) Details of the persons responsible for the implementation and monitoring;
 - h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and

i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain

Reason: To enhance biodiversity and in accordance with paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

17. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and National Planning Policy Framework (2024).

18. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase and in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

19. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development and in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

20. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy and in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and National Planning Policy Framework (2024).

21. No demolition/development shall take place/commence until a programme of additional archaeological work as agreed with Leicestershire County Council has been completed. The programme will continue from the submitted investigation work and trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.
- To demonstrate that the implementation of this written scheme of investigation has been secured, the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving and in accordance with Policies DM11, DM12 and DM13 of the Site Allocations and Development Management Policies DPD (2016) and National Planning Policy Framework (2024).

22. 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

Reason: To protect the amenities of nearby residents and in accordance with policy DM10 of the adopted Site Allocations and Development Management Policies DPD (2016) and National Planning Policy Framework (2024).

23. 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 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 and in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and National Planning Policy Framework (2024).

24. 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 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and National Planning Policy Framework (2024).

25. Development shall not begin until a scheme for protecting nearby dwellings from noise from the proposed development has been submitted to and approved by the Local Planning Authority. All works which form part of the scheme shall be completed before the permitted development first comes into use.

Reason: To protect the amenities of nearby residents and in accordance with policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

26. Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). Thereafter, the lighting shall be installed, maintained and operated in accordance with the approved details.

Reason: To protect the amenities of nearby residents and in accordance with policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. When determining planning applications, the local planning authority should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific Flood Risk Assessment (FRA) confirming it will not put the users of the development at risk. Where an FRA is applicable this should be undertaken in accordance with the requirements of the National Planning Policy Framework and accompanying Planning Practice Guidance.
3. Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted. Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/flood-risk-management> Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice. This consent does not consider local watercourse bylaws. It is the responsibility of the applicant to check if the local borough or district council has their own bylaws which the proposals will also need to consider.
4. Note that it is the responsibility of the Local Planning Authority under the DEFRA/DCLG legislation (April 2015) to ensure that a system to facilitate the future maintenance of SuDS features can be managed and maintained in perpetuity before

commencement of the works.

5. In relation to conditions 23 and 24 advice from Environmental Health should be sought via <mailto:esadmin@hinckley-bosworth.gov.uk> to ensure that any investigation of land contamination is in accordance with their policy.