

# Hinckley & Bosworth Borough Council

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

### Discharge of Condition Decision Notice Conditions Discharged

Mr Ryan Bayliss  
Neptune Architectural  
The Annexe  
1-2 Hilltop Cottage  
Main Street  
Normanton Le Heath  
Coalville  
LE67 2TB

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#### Details of Application:

Application Ref: 25/00404/DISCON  
Proposal: Application to discharge condition 4 (biodiversity enhancement and management plan), condition 5 (surface water drainage) and condition 9 (hard/soft landscaping) attached to planning permission 22/00065/Ful on Appeal Decision APP/K2420/W/3326394  
Location: 291 Watling Street, Nuneaton, CV11 6BQ

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#### The conditions and supporting details submitted to apply for the discharge of conditions:

##### *Condition 4*

Prior to the commencement of the development (including ground works or vegetation clearance), a Biodiversity Enhancement and Management Plan (BEMP) 12 shall be submitted to and approved in writing by the local planning authority. The BEMP is to provide a minimum of 10% net gain on the reported loss. The plan shall include:

- a) Description, evaluation and location of the ecological features and biodiversity enhancement measures to be created and managed;
  - b) Ecological trends and constraints on site that might influence management;
  - c) Aims and objectives of biodiversity enhancements and their management including for protected species;
  - d) Appropriate management options for achieving the aims and objectives of the project;
  - e) Prescriptions for management actions;
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - g) Details of the body or organisation responsible for implementation of the plan;
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h) On-going monitoring and remedial measures; and

i) Details of the legal and funding mechanism by which the long-term implementation of the plan will be secured. The plan will be supported by a BNG metric calculation using the latest DEFRA version of the metric. The approved plan will be implemented in accordance with the approved details

**Reason:** To protect and enhance biodiversity in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 187 of the National Planning Policy Framework (2024).

*Information Submitted*

**C4, Biodiversity Enhancement Management Plan, received 17 April 2025**

**C4, BNG Small Sites Metric**

**Consultees:**

LCC Ecology – have confirmed that the condition can be discharged.

**Summary:**

The submitted Biodiversity Enhancement Management Plan and BNG Small Sites Metric demonstrate that the submitted information includes the detail required by this condition, since this is a non-mandatory BNG application. The planting specifications for the habitats are suitable and support the timings of management actions to consider ecological sensitivities, including pruning of scrub and hedgerow outside of bird nesting season. The specifications and locations of the biodiversity enhancements proposed including the sparrow and swift boxes and integrated bat box are appropriate.

The information submitted therefore meets the requirements of Condition 4 in the interests of protecting and enhancing biodiversity in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 187 of the National Planning Policy Framework (2024).

*Condition 5*

Prior to the commencement development, surface water drainage details shall be submitted for the approval in writing by the Local Planning Authority. Such details shall include an assessment of the potential for the disposal of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework.

The assessment shall provide information of the design storm period and intensity (typically a 1 in 100 year storm of 30 minutes duration with an allowance for climate change), the method employed to delay and control the surface water discharged from the site and the means to prevent pollution of the receiving groundwater and/or surface water. Where applicable, the details shall include infiltration tests, calculations and controlled discharge rates. If the development is to discharge water into the ground in any form, then a full BRE Digest 365 infiltration test (or falling head test for deep bore soakaways) will have to be submitted to the Local Planning Authority prior to commencement of any works on site. The suitability of infiltration methods should be verified (i.e. possible contaminated ground). The approved drainage scheme shall be implemented prior to the first occupation of the development.

**Reason:** To ensure adequate drainage of the site and prevent flooding in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 170 of the National Planning Policy Framework (2024).

*Information submitted*

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C5, Private Drainage Construction Details, Sheet 1, Drg No.0425\_C410 Rev C1  
C5, Drainage General Arrangement Layout, Drg No.0425\_C400 Rev P1  
Email from Project Civil Engineer (SCHEMA, received 20/06/2025).

**Consultees:**

HBBC Drainage - drainage scheme satisfactory in principle, supporting hydraulic calculations should be submitted for review.

LLFA – Applicant has addressed initial points raised. There remains an inconsistency in the Hydro-Brake model however the condition can still be discharged with an informative note.

*Informative note: There remains an inconsistency in the Hydro-Brake model specified on the proposed Drainage General Arrangement Plan which differs to that shown in the hydraulic calculations and cross-sectional details. For the avoidance of doubt, the approved flow control device approved by the LLFA is that included in the hydraulic model, the Hydro-Brake CTL-SHE-0055-1000-0400- 1000.*

**Summary:**

The information submitted meets the requirements of Condition 5 in the interests of preventing flooding in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 170 of the National Planning Policy Framework (2024).

**Condition 9**

No development above foundation level shall commence on site 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.

Reason: To safeguard the character and appearance of the countryside and to ensure that the landscaping work is carried out within a reasonable time period and thereafter maintained in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD (2016).

**Information submitted:**

C9 Landscape Plan Drg. No. 1329 1 Rev 0

**Consultees:**

N/A

**Summary:**

The hard landscaping surrounding the building is to be a combination of stone mastic asphalt, textured paving stones and non-traffic concrete. The soft landscaping consists of a mixture of flower rich grass on the west and east sides of the building, native hedgerow, new turf and bulb underplanting. Some trees are retained within the site, and 26 trees are to be planted.

The hard and soft landscaping is to be completed prior to the commencement of development. The details demonstrate that the development will have appropriate boundary treatments with soft landscaping to ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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**The details submitted are ACCEPTABLE and the conditions are hereby FULLY DISCHARGED, subject to all works being undertaken in accordance with the full terms of the condition.**

Date: 1 August 2025



**Christopher Brown MRTPI**  
Head of Planning