

# Hinckley & Bosworth Borough Council

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

### Discharge of Conditions Decision Notice Conditions Discharged

Mr Dave Walgate  
Lagan Homes (G.B) Ltd  
Finance House  
Beaumont Road  
Banbury  
Oxfordshire  
OX16 1RH

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#### Details of Application:

Application Ref: 25/00561/DISCON  
Proposal: Application to discharge conditions 5 (Drainage), 9 (Refuse Plan), 10 (Lighting Scheme) attached to planning permission 24/00461/REM  
Location: Land South of Markfield Road, Ratby

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

##### **Condition 5**

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 in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

##### **Information Submitted**

C5, Onsite Private Drainage Layout, Drg No. 100032-PEG-104-XX-DR-C-0500 Rev P02  
C5, Section 104 Catchment Plan Drg No.100032-PEF-104-XX-DR-C-0550 Rev P02  
C5, Section 104 Foul Water Longsections Drg No.100032-PEF-104-XX-DR-C-0531 Rev P03  
C5, Section 104 Surface Water Long Sections Drg No.100032-PEF-104-XX-DR-C-0530 Rev P03  
C5, Section 104 Detailed Wetland Plan Drg No.100032-PEF-104-XX-DR-C-0505 Rev P03  
C5, Section 104 Drainage Layout Sheet 2 Drg No 100032-PEF-104-XX-DR-C-0501 Rev P03  
C5, Section 104 Drainage Layout Sheet 1 Drg No 100032-PEF-104-XX-DR-C-0500 Rev P03  
C5, Construction Surface Water Management June 2025 Rev 0

##### **Consultees**

LCC Drainage: Provided clarification that Condition 5 was requested by LCC Highways. No other comment.

LCC Highways: No objection to discharge of Condition 5.

### Summary

The Applicant has provided drainage layout details, catchment plans and surface water details. These details demonstrate that water will be managed so as not to drain on to the public highway. LCC Highways, the Local Highway Authority, have advised that the details are acceptable and have no objection to the discharge of this condition.

The information submitted therefore satisfies the requirements of Condition 5 in the interests of ensuring highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies (2016) and the requirements of the National Planning Policy Framework (2024).

### **Condition 9**

Notwithstanding the details as submitted, a refuse plan shall be submitted to and approved in writing by the local planning authority prior to any above ground development. The plan shall make provision for waste and recycling storage and collection across the site. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

Reason: To ensure the bin collection points on site are accessible for refuse collectors and not detrimental to the overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

### Information Submitted

C9, Refuse Management Plan Drg No.LWRAT-MCB-ZZ-ZZ-dr-a-0234 Rev P3

### Consultees

HBBC Waste: The plans submitted for 24/00461/REM showed bin collection points that did not appear to be at the boundary of the adopted highway. HBBC Waste referred to their comments provided following the determination of the Reserved Matters application at Planning Committee, where they queried the walking distances between the highway and the bin collection points for crews, wanting to confirm these would be no further than 5 metres for Plots 1-4, 13-17, 24-27, 28-32, 59-62 and 64-67.

### Summary

The Applicant has provided a refuse management plan that demonstrates the location of bin storage and collection areas. All bin storage is located to the rear of dwellings with proximity to side access points. The bin collection points are shown at the adopted highway boundary or, in the case of private drives, in shared collection points as close to the adopted highway boundary as possible. Of these, six private drives have collection points located between 8 to 17 metres from the adopted highway boundary, exceeding the maximum 5 metre distance sought by HBBC Waste in their response.

The layout for refuse management demonstrates that private driveway collection points have been located as close to the adopted highway boundary as possible when balancing this with maximum bin drag distances dictated by Building Regulations requirements. Having had regard to the approved site layout including original refuse details and bin storage locations approved for 24/00461/REM it is considered that there are no suitable alternative locations for these six bin collection points to be located closer to the adopted highway boundary. Therefore, notwithstanding the response from HBBC Waste the proposal is considered to provide acceptable bin collection locations in respect of the approved site layout.

The information submitted therefore satisfies the requirements of Condition 9 in the interests of providing accessible and adequate bin storage and collection space in accordance with Policy DM10 of the Site Allocations and Development Management Policies (2016).

### **Condition 10**

Prior to above ground construction for the development hereby permitted a lighting scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details for low level lighting for private drives, courtyard areas and a timeframe for implementation/delivery. The lighting shall be installed in accordance with the agreed details.

Reason: To help improve safety, reduce the fear of crime and to help protect the appearance of the area in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

### **Information Submitted**

C10, Proposed Adopted & Private Lighting & Illuminance Layout Drg no 3150-D-02 Rev D

### **Consultees**

HBBC Environmental Services (Pollution): No comments to make as the lighting is standard residential lighting.

### **Summary**

The Applicant has provided a lighting plan that demonstrates all streets within the development will be illuminated. The details demonstrate diamond lantern highway lighting along the adopted roads within the development, motion-sensor activated downlights on the principal elevation of dwellings adjacent to pedestrian access pathways, and low bollard lighting along private drives. The lighting plan demonstrates that the layout and direction of lighting through the development would not cause unreasonable light spill to residential properties.

The information submitted therefore satisfies the requirements of Condition 10 in the interests of providing a safe and attractive lighting scheme in accordance with Policies DM7 and DM10 of the Site Allocations and Development Management Policies (2016) and the requirements of the National Planning Policy Framework (2024).

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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: 11 February 2026



**Christopher Brown MRTPI**  
Head of Planning