

**Delegated Report
Discharge of Conditions**

Planning Ref: 25/01052/DISCON
Applicant: Mr Elliott Harding
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: Ashby House Hill Top Farm Hill Top

Application to discharge C3 (Land Contamination) C15 (Waste and Recycling) C26 (Badger) attached to planning permission 25/00266/CONDIT

Conditions and supporting details submitted to apply for the conditions to be discharged:

Condition 3

The development approved by this permission shall be commenced in accordance with the land contamination investigation submitted and approved under application 23/00802/DISCON except where updated by application 25/00076/DISCON. Any remediation works so approved shall be carried out prior to the site first being occupied. Once the approved mitigation and remediation works have been installed details of this shall be submitted to and approved in writing by the Local Planning Authority.

C3, Asbestos Risk Assessment Received 30/10/25

Condition 15

Prior to the occupation of the first dwelling on site a scheme that makes provision for waste and recycling 25/00266/CONDIT Page 4 of 8 PECONZ storage and collection across the site shall be submitted to and approved in writing by the Local Planning Authority. 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 before the occupation of the first dwelling.

C15 Waste & Recycling Plan (202305-01Y-External Works – Received 19/12/25

Condition 26

The development shall be carried out in accordance with the badger mitigation strategy approved by the local planning authority under application 23/00810/DISCON. The development shall only be carried out in accordance with the agreed measures within the approved strategy and retained as such thereafter unless otherwise agreed through an updated badger mitigation strategy which has subsequently been submitted to and approved in writing by the local planning authority.

C26, Revised Badger Method Statement (CONFIDENTIAL) – Received 30/10/25

C26, Landscaping Plan, Drg No. c2191-01 Rev D) – Received 30/10/25

Consultees / Assessed by:

LCC Ecology Department
HBBC Environment Team
HBBC Waste Team

Conclusion / Summary:

Condition 3

Following asbestos being found on site a remediation programme has been detailed which details that soils are capped by imported clean cover in soft landscaped areas, ensuring that the risk to end users is very low. Therefore the Councils Environmental services Officer is in support of the mitigation measures and once implemented should be submitted to apply to formally discharge the

condition. In the meantime, the LPA can partially discharge Condition 3 for confirmation that the mitigation measures proposed are acceptable to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 15

A waste storage and collection plan has been submitted and assessed by the Council Waste & Recycling Officer. All units have a designated storage location within the curtilage of the dwelling along with collection points located on the adopted highway boundary for most of the units. For units located within private roads a bin collection point will be provided to be used on relevant collection days which is acceptable to Waste & Recycling. Fencing to one location is proposed to help mitigate the impact to neighbouring properties and to the street scene together with proposed signage to make residents aware to use on collection days only. The details demonstrate that the waste and recycling team can provide collections in accordance with their policy and measure in place to help reduce the detrimental appearance to the street scene and overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 16

An Updated Badger Survey has been undertaken by Middlemarch in October 2025 when the approval of details reserved by condition were submitted. LCC Ecology assessed the document and advised that they were satisfied that an up to date survey had taken place and reported on satisfactory with mitigation measure which will enable the development works to commence and the proposed mitigation be implemented which will ensure that the badgers are protected in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016) and Section 15 of the National Planning Policy Framework (2024).

Officer Recommendations:

Condition 3 Land Contamination – Partial Discharge

Condition 15 Waste & Recycling - Discharge

Condition 26 Badger Survey Update – Discharge