

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

C/o Mr Joe Jeacock
Brp Architects
1 Millers Yard
Roman Way
Market Harborough
LE16 7PW

Name and Address of Applicant

Mr Lewis Creed
Vistry South East Midlands
1 Penman Way
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Leicestershire
LE19 1SY

Part I – Particulars of Application

Planning Reference: 25/00247/DISCON

Application Site: Land North Of Hill Top Farm Hill Top Earl Shilton

Proposal: Application to discharge conditions 2 (Soft Landscaping) and 3 (Open Space Equipment) attached to planning permission 24/00496/REM

Part II – Summary of Decision

CONDITIONS DISCHARGED

Condition 2 Soft Landscaping

Received 10 August 2026

C2 & C3 MZ560-BRP-ZZ-DR-A-SIT- 0075_Site Boundaries and Surfaces Plan Masterplan

C2 4519_123_Landscape Masterplan Rev E - Received 8 September 2026

C2 & C3 24000-101.1_External Levels 3 of 3_D_Preliminary - Received 12 February 2026

C2 & C3 Implementation Programme (revised) Received 8 September 2026

Received 8 September 2026

C2 Soft Landscape Proposals Sheet 1 of 4, Drg No. CSA/4519/116 Rev E

C2 Soft Landscape Proposals Sheet 2 of 4, Drg No. CSA/4519/117 Rev E

C2 Soft Landscape Proposals Sheet 3 of 4, Drg No. CSA/4519/118 Rev E

C2 Soft Landscape Proposals Sheet 4 of 4 Drg No. CSA/4519/119 Rev E

Condition 3 Equipment Boundary Treatment and Surfacing to Play Area

Received 8 September 2026

C3 4519_122_Play Area Proposals_-

C3, Public Open Space Landscape Proposals Sheet 1 of 2, Drg No.CSA/4519/120 Rev D

C3, Public Open Space Landscape Proposals Sheet 2 of 2, Drg No.CSA/4519/121 Rev D

C2 & C3 Implementation Programme (revised) Received 8 September 2026

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

C. Brown.

Date: 16 September 2026

Christopher Brown MRTPI
Head of Planning

Part III – Particulars of Decision

Condition 2

Condition 2

No development shall commence until a scheme of soft landscaping works, for the site, including an implementation scheme, has been submitted to and approved in writing by the local planning authority. The soft landscaping scheme shall be in general accordance with the approved C253 0206-P08 Proposed Site- Landscaping Plan' and shall include additional soft landscaping in the parking areas for plots 43-46 and 73-77 and screening landscaping for the pumping station.

Thereafter the development 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.

To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 22 of the Earl Shilton and Barwell Area Action Plan (2014).

Condition 3

No development shall commence until full details of the equipment (including seating and bins), boundary treatments and hard surfacing in the public open space has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented and maintained in accordance with the approved details.

Reason: To ensure that the development has a satisfactory external appearance and provides satisfactory green space and play provision in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy 19 of the Core Strategy (2009) and Policy 22 of the Earl Shilton and Barwell Area Action Plan (2014)

Consultees – LCC Ecology, Compliance & Monitoring Officer, Senior Officer/Case Officer for original outline and reserved matters application

Assessment:

Condition 2 Landscaping

Landscaping plans have been submitted which are broadly in accordance with the approved drawing **C253 0206-P08 Proposed Site Landscaping Plan**. The revised scheme includes a native hedge surrounding the pumping station, which will assist in softening its appearance and integrating it into the wider landscaped setting.

The condition also sought additional planting within the parking areas serving Plots 43-46 and 73-77. However, it has not been feasible to incorporate further landscaping within these areas without compromising the functionality and safe use of the parking spaces. Additional planting would reduce manoeuvring space and could obstruct pedestrian access routes to the dwellings, potentially encouraging inappropriate parking elsewhere within the development.

Notwithstanding this, the submitted plans include supplementary planting adjacent to Plots 78 and 79, together with frontage hedgerows to individual plots, which contribute to a softer and more attractive street scene. Whilst additional landscaping cannot be accommodated within the parking areas serving Plots 43-46, the frontage hedgerows to individual plots and surrounding landscape treatment, comprising hedgerow planting and tree planting adjacent, will help to soften the visual impact of the hard surfaced areas and provide increased height, structure and visual interest across the development.

To facilitate the construction of retaining walls, a section of existing planting adjacent to Plot 79 has been removed. To compensate for this loss, the applicant has introduced additional thicket planting within this area, re-establishing a similar landscape character and strengthening the overall planting scheme.

The landscaping proposals remain comprehensive, incorporating a diverse range of grasses, shrubs and native tree species to enhance biodiversity and provide visual variety throughout the site. Seasonal interest will also be provided through bulb planting. Areas of species-rich grassland are included to promote ecological value, whilst amenity grassland areas will be managed through more regular mowing to provide usable open space for recreation and play.

Mown pathways are proposed throughout the site to improve accessibility and clearly distinguish amenity areas from biodiversity-rich grassland. These paths will also ensure the landscaped areas retain a well-maintained appearance, contributing positively to the overall quality and presentation of the development.

An implementation scheme has been provided that is consistent with the terms within the legal agreement in that the main equipped, and amenity area of play will be available for use by residents by 90% occupation. The remaining area of open space will be implemented by final completion as this area currently serves the site compound and until works have finished this cannot be removed. On plot landscaping is to be completed prior to occupation of each plot. The LPA are satisfied that proposals will ensure that the development will have a satisfactory external appearance and be implemented within a reasonable timescale.

Condition 3

The Public Open Space plans submitted in support of the discharge of Condition 3 include details of a bow-top railing fence surrounding the equipped play area, together with double gates for maintenance access and self-closing gates for users to ensure a safe and secure play environment.

The play area will comprise a grassed surface with play equipment set on appropriate safety surfacing beneath each item. The predominance of grassed areas, combined with limited areas of safety surfacing, will help maintain a rural character whilst ensuring compliance with safety requirements. The enclosing fencing will provide a secure environment in which children can play safely.

The equipped play area will contain nine items of play equipment, including a number of inclusive features designed to cater for a wide range of users. Signage, seating and litter bins

will also be provided. Externally, a native hedge will be planted around the perimeter fencing, whilst internally the scheme includes shrub and tree planting, further reinforcing the rural appearance of the space.

In addition, a trim trail is proposed adjacent to the enclosed play area, with safety surfacing beneath the equipment to facilitate more imaginative, challenging and unrestricted forms of play. Access to the play area will be provided via a hoggin pathway, with mown grass paths linking the surrounding areas of public open space.

The Local Planning Authority is satisfied that the proposal provides an appropriate range and quantity of play equipment commensurate with the required level of provision. The equipment is versatile and designed to encourage a variety of play experiences, including physical, imaginative, social and exploratory play. Furthermore, the incorporation of soft landscaping, minimal hard surfacing and natural materials will create an attractive rural setting that integrates well with the surrounding open space. The proposal therefore accords with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy 19 of the Core Strategy (2009), and Policy 22 of the Earl Shilton and Barwell Area Action Plan (2014) in relation to the provision of green space and children's play facilities

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.