

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Approval of Details Reserved by Condition

PARTIAL DISCHARGE

Name and Address of Agent

Mr S Burton
C/o Mr Mark Garaghty
HSSP Architects Limited
Pera Business Park
Nottingham Road
Melton Mowbray
Leicestershire
LE10 0PB

Name and Address of Applicant)

Part I – Particulars of Application

Planning Reference: 26/00659/DISCON

Application Site: 223 Station Road Earl Shilton LE9 7GG

Proposal: Application to discharge conditions 3 & 5 (Land Contamination Validation Report) for Plots 1–3 attached to planning permission 25/00403/CONDIT

Part II – Summary of Decision

CONDITIONS PARTIALLY DISCHARGED

In pursuance of its powers under the Town and Country Planning Act 1990 (as amended), the Local Planning Authority hereby approves the details submitted in relation to the following conditions:

Condition 3 (Materials)

C3 & C5 Ground Gas Verification Plan [20/7/26]

C3 & C5 Membrane Validation Report [20/7/26]

The details are **ACCEPTABLE** for Plots 1 – 3. The conditions are **PARTIALLY DISCHARGED**. The development must be carried out in strict accordance with the above approved documents and the full terms of the conditions.

Date: 31 July 2026



Christopher Brown MRTPI
Head of Planning

Part III – Particulars of Decision

Condition 3

The development hereby permitted shall be carried out in accordance with the following details (agreed under reference 24/00342/DISCON 30/10/2024):

- *Ground Investigation Combined Phase I and II Report - Received 10 April 2024*
- *Gas Protection Letter - Received 2 October 2024*

The submission of the final Validation Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any dwelling hereby approved.

Reason: To safeguard the amenities of adjoining and neighbouring properties in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies DPD (2016) and the requirements of the NPPF.

Condition 5

The development hereby permitted shall only be carried out in accordance with the following agreed details in respect of landfill gas (agreed under reference 24/00342/DISCON 30/10/2024):

- *Ground Investigation Combined Phase I and II Report - Received 10 April 2024*
- *Gas Protection Letter - Received 2 October 2024*

The submission of the final Validation Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any dwelling hereby approved.

Reason: In the interests of ensuring against issues arising from land contamination in accordance Policy 7 of the Site Allocations and Development Management Policies DPD (2016) and the requirements of the NPPF.

Consultee – Environmental Services

Assessment:

The Ground Gas Verification Plan sets out the mitigation measures to be installed. The membrane validation report submitted by GeoDyne confirms that a site inspection was undertaken and that they were satisfied with the suitability of the gas protection membranes proposed. The report further confirms that the membranes appeared to have been installed appropriately within Plots 1 to 4.

The Council's Environmental Services Officer is satisfied that the required mitigation measures have been installed within Plots 1 to 3.

As the development comprises a total of four plots, the condition cannot be fully discharged at this stage. However, a partial discharge can be granted for Plots 1 to 3, providing assurance to future residents that the approved mitigation measures have been satisfactorily implemented.

Note to Applicant:

Conditions 3 & 5 have been partially discharged, as the information submitted is considered satisfactory in respect of Plots 1 to 3. Validation information for Plot 4 remains outstanding and must be submitted before the conditions can be fully discharged.

To secure full discharge of Conditions 3 and 5, the applicant will be required to submit a further application, together with the relevant fee and supporting validation documentation for Plot 4.