

Hinckley & Bosworth Borough Council

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

Name and Address of Applicant

Mr & Mrs Simon & Lynn Kirkby
45 Bagworth Road
Newbold Heath
Newbold Verdon
Leicester
Leicestershire
LE9 9NB

Name and Address of Agent (if any)

Mr Mark Twynam
Benchmark Design Build LTD
Gillberries Hall Farm
Gillberries Lane
Wall-under-Heywood
Shropshire
SY6 7HZ

Part I – Particulars of Application

Planning Reference 25/01126/DISCON

Application Site 45 Bagworth Road, Newbold Heath, Newbold Verdon,
Leicester, Leicestershire, LE9 9NB

Proposal Application to discharge conditions C2 (Land Contamination),
C5 (Waste and Recycling), and C11 (Drainage), attached to
planning permission 24/01016/P3CQ

Part II – Summary of Decision

The details submitted with the following conditions are ACCEPTABLE and the conditions are hereby FULLY DISCHARGED, subject to all works being carried out strictly in accordance with the full terms of the conditions:

Condition 02 (Land Contamination)

Condition 05 (Waste and Recycling Storage)

Condition 11 (Drainage)

Part III – Particulars of Decision

Information that the Developer provided to the Local Planning Authority:

02 June 2026

- Phase 1 Environmental Assessment

24 November 2025

- C2,C3, Argyll Environmental - Site Desktop Report
- C2,C3,C11,Foul & Surface Water Drainage Plan, Drg No. SK-DOC-001.3
- C5,C6,C9,C10,C12,Proposed Site Access and Recycling and Refuse Plan, Drg No. SK-DOC-001.1
- C6,C7,C8,C9,C10, Proposed Site Access/Egress Visibility Plan, Drg No. SK-DOC-001.2

Condition 02 (Land Contamination)

“No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.”

This information has been assessed by the Council's Environmental Health Department, who have considered the submitted details to be sufficient to discharge the planning condition. This is because the submitted details ensure that risk from land contamination to future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

The details submitted are ACCEPTABLE and the condition is hereby FULLY DISCHARGED, subject to all works being carried out strictly in accordance with the full terms of the condition.

Condition 05 (Waste and Recycling Storage)

“The development hereby permitted shall not be occupied until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted in writing to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.”

The submitted information has been assessed by the Council's Waste Management Department, who confirmed that the submitted details met the requirements of the Council's Waste Management Service.

Therefore, the submitted details would make adequate provision for waste and recycling storage in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the Council's Wheeled Bin and Container Policy (2018), and Section 46 of the Environmental Protection Act 1990, and therefore Condition 05 of 24/01016/P3CQ can be recommended for discharge.

The details submitted are ACCEPTABLE and the condition is hereby FULLY DISCHARGED, subject to all works being carried out strictly in accordance with the full terms of the condition.

Condition 11 (Drainage)

"The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details before the development is first brought into use."

The submitted information has been assessed by the Council's Drainage Department and Severn Trent Water. Both Severn Trent Water and the Council's Drainage Department considered the submitted drainage details would be sufficient to discharge the planning condition from this planning application in these site-specific circumstances.

The Council's Drainage Department advised that the design and construction of the foul and surface water drainage system would need to comply with the requirements of Building Regulations 2010. Severn Trent Water highlighted that the proposed foul drainage details would require the Applicant to make a formal application to Severn Trent Water under Section 106 of the Water Industry Act 1991. Further guidance from Severn Trent Water is available via www.stwater.co.uk and 0800 707 6600.

Therefore, the submitted details would provide a satisfactory means of drainage in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and therefore Condition 11 of 24/01016/P3CQ can be recommended for discharge.

The details submitted are ACCEPTABLE and the condition is hereby FULLY DISCHARGED, subject to all works being carried out strictly in accordance with the full terms of the condition.

Date: 26 June 2026



Christopher Brown MRTPI
Head of Planning