

Hinckley & Bosworth Borough Council

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

Name and Address of Applicant

M, E, R & A Beeston
100 Main Street
Nailstone
Leicestershire
CV13 0QB

Name and Address of Agent (if any)

Mr Kristian Lawrence
Lawrence & Finley Architects Limited
5 Henry Dane Way
Newbold Coleorton
LE67 8PP

Part I – Particulars of Application

Planning Reference 25/00387/DISCON

Application Site 102 Main Street, Nailstone, Nuneaton, Leicestershire, CV13 0QB

Proposal Application to discharge C5 (WSI), C6 (Contaminated Land), C8 (Materials), C9 (Hard and Soft Landscaping), C10 (Precautionary Method of Working Strategy), C11 (Bat Survey), and C12 (Bat Enhancement Scheme) attached to planning permission 23/00518/FUL

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 05 (Written Scheme of Investigation)

Condition 08 (Materials)

Condition 09 (Hard and Soft Landscaping)

Condition 10 (Precautionary Method of Working Strategy)

Condition 11 (Bat Survey)

Condition 12 (Bat Enhancement Scheme)

The details submitted are ACCEPTABLE and the condition is hereby PARTIALLY DISCHARGED for commencement purposes, subject to all works being carried out strictly in accordance with the full terms of the condition:

Condition 06 (Contaminated Land)

Note to Applicant

Condition 06 has been PARTIALLY DISCHARGED to enable the commencement of development in strict accordance with the remediation strategy outlined in Geoenvironmental Investigation Report. To FULLY DISCHARGE Condition 10, a Verification Report must be submitted to, and approved in writing by, the Local Planning Authority in accordance with Section 8.5 of the Geoenvironmental Investigation Report.

Part III – Particulars of Decision

Information that the Developer provided to the Local Planning Authority

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| • Bat Mitigation and Working Strategy | (submitted: 17.06.2025) |
| • C5 Historic Building Photographic Survey | (submitted: 24.04.2025) |
| • C6 Geoenvironmental Investigation Phase 1 & 2 (746-R-01A) | (submitted: 02.06.2025) |
| • C6 Appendix 1 (Geo & EnviroInsight Report) (746-R-01) | (submitted: 02.06.2025) |
| • C6 Appendix 2 (Historical OS Maps) (746-R-01) | (submitted: 02.06.2025) |
| • C6 Appendix 3 (Exploratory Hole Logs) (746-R-01) | (submitted: 02.06.2025) |
| • C6 Appendices 4 to 6 (Lab & Gas Test Results) (746-R-01A) | (submitted: 02.06.2025) |
| • C8 Materials Schedule (Rev A) | (submitted: 15.05.2025) |
| • C9 Proposed Landscaping | (submitted: 10.04.2025) |
| • Written Scheme of Investigation (V3) | (submitted: 07.08.2025) |

Summary of the Local Planning Authority's Assessment of the Submitted Details

Condition 05 (Written Scheme of Investigation)

"No demolition/development shall take place until a programme of historic building survey defined within a Written Scheme of Investigation has been submitted to, and approved in writing by, the Local Planning Authority."

The submitted information has been assessed by the County Council's Historic and Natural Environment Team (HNET), who confirmed that no additional archaeological involvement will be required and the commitment to OAS reporting with the Archaeological Data Service (ADS) and an accession number for the Leicestershire Museums Service (LMS) has been provided. Therefore, HNET confirmed that they were satisfied that the scheme ensures that the historic significance of the buildings is recorded in accordance with Policy DM11 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and therefore Condition 05 of planning permission 23/00518/FUL can be fully discharged.

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 06 (Contaminated Land)

“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 agreed 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.”

The submitted information has been assessed by the Council's Environmental Health Department, who confirmed that the proposed remediation of the garden is satisfactory, and an option should be chosen and carried out. Therefore, the Environmental Health Department have confirmed that the submitted details 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 SADMP and therefore it is considered that Condition 06 of planning permission 23/00518/FUL can be partially discharged.

However, in accordance with Section 8.5 of the Geoenvironmental Investigation Report, Condition 06 of planning permission 23/00518/FUL can only be fully discharged once the Verification Report has been submitted to, and approved in writing by, the Local Planning Authority.

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

Condition 08 (Materials)

“No development above floor plate level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwelling hereby permitted have been deposited with, and approved in writing by, the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.”

The submitted information has been assessed by the Council's Conservation Officer, who confirmed that the proposed construction materials have traditional characteristics and appropriate contemporary characteristics, all of which reflect the prevalent building materials of the wider area, including the Nailstone Conservation Area, resulting in a development of a satisfactory appearance.

Therefore, the proposed materials ensure that the approved development has a satisfactory external appearance in accordance with Policies DM10, DM11, and DM12 of the SADMP, and therefore it is considered that Condition 08 of planning permission 23/00518/FUL can be discharged.

The details submitted with the following conditions 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 conditions:

Condition 09 (Hard and Soft Landscaping)

“No development shall take place until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority. The scheme 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.”

The submitted information has been assessed by the Council's Conservation Officer, who confirmed that the use of timber post and rail fencing and native hedgerows, as well as the arrangement of soft and hard landscaping ensure that the open character of the former farmyard remains discernible and that the development has a satisfactory external appearance, which maintains the character of the Nailstone Conservation Area. By virtue of these factors, it is considered that Condition 09 of planning permission 23/00518/FUL can be discharged.

The details submitted with the following conditions are ACCEPTABLE and the condition is hereby DISCHARGED, subject to the ongoing maintenance and replacement requirements and subject to all works being carried out strictly in accordance with the full terms of the conditions:

Condition 10 (Precautionary Method of Working Strategy)

“No works to, or development of the barn (labelled building B3 in the CBE Consulting reports) or demolition of the adjoining stable block (B2) shall take place until a Precautionary Method of Working Strategy for bats has been submitted to and approved in writing by the Local Planning Authority. This is to detail reasonable avoidance measures to prevent harm to bats, including but not limited to: the timing of works, specific works requiring ecological supervision, location of temporary bat box for any bats found, the company that will be undertaking the ecological supervision. All works are to proceed strictly in accordance with the approved strategy.”

The submitted information has been assessed by the County Council's Ecology Department. The Ecology Department reviewed the Precautionary Method of Working Strategy and confirmed that the Strategy for bats was appropriate.

By virtue of these factors, the Precautionary Method of Working Strategy for bats is considered to protect the protected wildlife species and their habitats that are known to exist on site in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the Ecology Department had no objection

to the discharge of this planning condition. It is therefore considered that Condition 10 of planning permission 23/00518/FUL can be discharged.

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 (Bat Survey)

“If works to the barn do not commence with one year of permission being granted an updated bat activity survey report, including a mitigation strategy if required, shall be submitted to the Local Planning Authority for approval.”

The submitted information has been assessed by the County Council’s Ecology Department, and it was acknowledged that the updated bat assessment and subsequent emergence survey were undertaken in May 2025 where no emergence from the building structures was observed. Therefore, the Applicant has submitted an up to date bat activity assessment and surveys, and a Precautionary Method of Working Strategy that have been confirmed as acceptable by the Ecology Department in protecting the protected wildlife species and their habitats that are known to exist on site in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016). It is therefore considered that Condition 11 of planning permission 23/00518/FUL can be discharged.

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 12 (Bat Enhancement Scheme)

“Prior to the commencement of development, a bat enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. This is to detail the provision of three integrated bat roosts, including the type of boxes to be used and their locations. All works are to proceed strictly in accordance with the approved scheme and thereafter be retained in perpetuity.”

The submitted information has been assessed by the County Council’s Ecology Department, who supported the location and design of the proposed bat boxes within the bat enhancement scheme. Therefore, the submitted details protect the protected wildlife species and their habitats that are known to exist on site in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016). It is therefore considered that Condition 12 of planning permission 23/00518/FUL can be discharged.

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: 12 August 2025

C. Brown.

Christopher Brown MRTPI
Head of Planning