

Hinckley & Bosworth Borough Council

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

Discharge of Condition Decision Notice Conditions Discharged

Design Studio Architects
Regent House
7 Upper King Street
Leicester
LE1 6XB

Details of Application:

Application Ref: 25/00784/DISCON
Proposal: Application to discharge condition 3 (materials), condition 4 (CMP), condition 8 (hard & soft landscaping), Condition 9 (SuDS), Condition 10 (Levels), Condition 11 (WSI), Condition 12 (land contamination) and Condition 15 (Waste and Recycling) attached to planning permission 22/00272/FUL
Location: King William, 1 The Hollow, Earl Shilton

The conditions and supporting details submitted to apply for the discharge of conditions:

Condition 3

No development shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwellings 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.

Reason: To ensure that the development has a satisfactory appearance in accordance in the interest of visual amenity and in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Information Submitted:

C3, Materials Schedule, received 29 May 2025

Consultees:
N/A

Summary:

The submitted materials include a combination of Old English Rose Rustic Bricks, black window and door surrounds, and Richmond slate tiles on the roof. This materials palette would correspond well with the site and surrounding area.

The information submitted therefore meets the requirements of Condition 3 in the interests of ensuring that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 4

No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

Information submitted:

C4 Construction Management Plan (Drg. No. 2512-600 Rev A)

Consultees:

LCC Highways –

“The LHA has reviewed the submitted Construction Traffic Management Plan (CTMP), drawing number 2512-600 Rev A and find that there are adequate vehicle parking facilities within the site to prevent parking on the highway. The LHA note that the site is located in the town centre of Earl Shilton and there are two nearby public car parks. One is located on Wood Street and the other on Oaks Way, both approximately 200m from the site entrance.

The LHA are satisfied that the construction activities will take place between 7am and 6pm Monday to Friday, and 7am to 2pm on Saturdays.

The CTMP shows the wheel washing facilities to be approximately 33m from the highway boundary. Whilst the LHA would usually expect these closer to the highway and a minimum of 10m, the LHA considers the location is appropriate given the existing hard bound surfacing into the site and the existing site layout. The Applicant should ensure wheel washing facilities are on the site from the commencement of development until completion.”

HBBC Environmental Health –

“The hours of operation should be limited to:

Monday ' Friday 07:30 ' 18:00

Saturday 08:00 ' 13:00

No working on Sundays and Bank Holidays”

Summary:

The LHA is satisfied that the CMP is appropriate for the proposed development. The latest version of the CTMP has been amended to comply with the working hours as requested by HBBC Environmental Health above. Condition 4 can therefore be discharged.

Condition 8

No development shall take place until a scheme of hard and soft landscaping works, including boundary treatments and 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.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Information submitted:

C8, Detailed Hard & Soft Landscape Proposals (Drg. No. 22-020 Rev P01)

C8, Long Term Landscape Management Scheme (Drg. No. 22-020-DP-LMP001)

Consultees:

N/A

Summary:

The information submitted demonstrates an appropriate landscape scheme that would result in an acceptable character and appearance for the proposed development. The long-term management of the landscaping scheme is also secured by an appropriate scheme as submitted. The scheme therefore complies with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 9

Development shall not commence until a scheme to provide a sustainable surface water drainage system in accordance with the Sustainable Drainage Assessment dated February 2022 (produced by Shaw Savage) has been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

Information submitted:

Drainage Design and Proposed Levels (submitted 18.08.25)

Sustainable Drainage Design (submitted 03.10.25)

Consultees:

HBBC Drainage:

"I have reviewed the revised proposals and can confirm they are satisfactory, and therefore the relevant drainage condition can now be discharged." (Email response 22/10/25)

Summary:

HBBC Drainage has confirmed that the submitted details are acceptable, the scheme therefore complies with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 10

No development shall take place on site until such time as the existing and proposed ground levels of the site and proposed finished floor levels have been submitted to and agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

Reason: To ensure that the development has a satisfactory appearance and in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Information submitted:

Drainage Design and Proposed Levels (submitted 18.08.25)

Consultees:

N/A.

Summary:

The submitted levels plan is acceptable and ensures an acceptable level of visual and neighbouring amenity in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD.

Condition 11

No development shall commence until a programme of archaeological work, comprising further post-determination trial trenching, specific metal-detecting and as necessary targeted archaeological investigation. The full programme and timetable will be detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

- The programme and methodology of site survey, investigation and recording (including assessment of results and preparation of an appropriate mitigation scheme)
- The programme for post-investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis, interpretation and presentation of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works, with particular reference to the metal detecting survey, as set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the Written Scheme of Investigation approved through condition.

Reason: To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016).

Information submitted:

Archaeological Evaluation Report

Consultees:

LCC Archaeology:

"Having reviewed the submitted trial trenching report (Groundworks Archaeology Report Ref.: 277), I can confirm that no additional archaeological involvement will be required. I note the report includes a commitment to OASIS reporting with the Archaeological Data Service (ADS) and an accession number for the Leicestershire Museums Service (LMS). The latter is supported by a description of the archive content and a note stating the intention to deposit the paper (LMS) and digital archive (LMS/ADS) in accordance with professional standards. These provisions are in accordance with the planning requirements and the approved Written Scheme of Investigation.

I am therefore able to recommend discharge of the planning condition (11)."

Summary:

The submitted Archaeological Report is satisfactory to comply with Policies DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016) and Condition 11 can therefore be discharged.

Condition 12

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

Reason: 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).

Information submitted:

Phase 1 and II Geo Environmental Assessment Report

Consultees:

HBBC Environmental Health (Pollution):

"The remediation strategy is satisfactory and should be carried out. the condition can be discharged on verification that all works have been completed."

Summary:

The submitted remediation strategy is acceptable, and Condition 12 can therefore be discharged.

Condition 15

"No development shall take place until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted 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

Reason: To ensure the bin storage on site is not detrimental 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)."

Information submitted: Bin Store Location on Proposed Site Plan Drg No. 21036 DSA ZZ ZZ DR A 002 P04

Consultees:

HBBC Waste Services:

"The details regarding waste collection do not meet the requirements of the Councils waste collection service."

The collection point for domestic recycling, garden waste and refuse is from the adopted highway boundary.

Collection at the rear of the proposed development is not suitable for above reasons initially and secondly; Reversing into this site is not in-line with our operational health and safety. Space is not sufficient to drive-in and turn around. If you require further clarification, please contact the Councils Health and Safety Officer for comment.

The waste collection arrangements detailed are not acceptable."

Summary:

Officers have regard for the approved layout as part of 22/00272/FUL, as well as the approved location of the bin storage point as part of permission 18/00556/FUL adjoining the site. The proposed

bin store location is directly behind the existing approved bin store location for 18/00556/FUL. Furthermore, Officers consider that there is no suitable alternative location for the bin store than what is proposed as part of this application. It is therefore considered that, despite the response from HBBC Waste Services, the proposed location would allow Waste Collection Staff to enter the site on foot and access the bin collection point which is 15-20m from where the Bin Lorry would be parked on The Hollow. The proposals are therefore in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and condition 15 can be discharged.

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

Date: 24 November 2025



Christopher Brown MRTPI
Head of Planning