Hinckley & Bosworth Borough Council

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

DECISION NOTICE – SPLIT DECISION

Name and Address of Agent
Torsion Projects Ltd
C/o Ms Daniela Phillips
Green 4 Architects
The Barn
Hopwell Hall
Ockbrook
Derby
DE72 3RW

Name and Address of Applicant)
Torsion Projects Ltd

Part I – Particulars of Application

Planning Reference: 26/00134/DISCON
Application Site: Land Adj The Trinity Centre Marchant Road Hinckley LE10 0LQ
Proposal: Application to discharge C18 (Habitat Management and Monitoring Plan (HMMP) C23 (SuDS) C25 (Maintenance of SuDS) attached to planning permission 25/00354/FUL

Part II – Summary of Decision

SPLIT DECISION

CONDITION NOT DISCHARGED
Condition 18 Habitat Management and Monitoring Plan
C18 Appendix 1 HMMP
C18 Appendix 2 Landscaping Scheme & Biodiversity Enhancement. A7099-04D
C18 Appendix 3 Ecological Appraisal and BNG A7099
C18 Appendix 4 Solmek (2025). Phase 2 Site Investigation
C18 Appendix 5 Millward Consulting Engineers (2025). Flood Risk Assessment & Drainage Strategy
C18 Appendix 6 - Humble Heritage (2025). Heritage and Archaeology Assessment
C18 Matrix (All documents received 6/08/26)

The details submitted are NOT ACCEPTABLE to the LPA to enable the condition to be discharged at this time.

Where conditions remain UNDISCHARGED these can either be appealed or a new application submitted with revised details that address the reasons why the condition remains undischarged.

CONDITIONS DISCHARGED

Condition 23 SuDS
C23 & C25 25202-DCE-XX-XX-T-C-001-P06 Drainage Strategy and Calculation (Revised) (received 15/07/26)

Condition 25 Maintenance of SuDS
C23 & C25 25202-DCE-XX-XX-T-C-001-P06 Drainage Strategy and Calculation (Revised) (received 15/07/26)

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 October 2026

Christopher Brown MRTPI
Head of Planning

Part III – Particulars of Decision

Condition 18 Habitat Management and Monitoring Plan (HMMP)
A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by 25/00354/FUL Page 5 of 12 PEFULZ the local authority, prior to commencement of development, including:

a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
b) the planned habitat creation and enhancement works to create or improve habitat to achieve the onsite significant enhancements in accordance with the approved Biodiversity Gain Plan;
c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain
Plan for a period of 30 years from the completion of development;
d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan
are achieved.

Notice in writing shall be given to the Council when the:
o initial enhancements, as set in the HMMP, have been implemented; and
o habitat creation and enhancement works, as set out in the HMMP, have been completed after 30
years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Unless otherwise agreed in writing,

monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

Condition 23 Surface Water Drainage Scheme
No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. Surface water shall not drain into the Public Highway. The development must be carried out in accordance with these approved details, completed prior to first occupation and maintained in
accordance with the approved details in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

Condition 25 SuDS Long Term Maintenance & Management
25. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in
perpetuity.

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 surface water drainage system (including sustainable drainage systems) within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

Consultees – LCC Ecology, LLFA, Drainage Officer, LCC Highways

Assessment:

Condition 18 HMMP
Reason Condition is not discharged:

LCC Ecology requested revised details which were submitted on 6 August 2026 and re-assessed. LCC Ecology advised that the trees that form the baseline habitat were “double counted” and the metric should be updated so that the baseline habitats are accurately recorded. Only a post development habitat plan was included and therefore required both baseline and revised post development habitat plan to enable an assessment of the proposed-on site enhancements.

The woodland creation enhancement & management summary included that planting to include a mix of minimum of five native species. The Woodlands Species list only contained 4, 2 of which are not native and therefore not suitable.

LCC Ecology advised that newly planted woodland is unlikely to achieve more than one age class.

Condition 23 SuDS

A drainage strategy has been submitted incorporating attenuation tanks for the storage of surface water and flow control measures to ensure discharge is managed at a controlled rate, thereby preventing an increased risk of flooding. Supporting calculations demonstrate that the proposed surface water drainage system has sufficient capacity to accommodate runoff from the development, taking account of climate change allowances over a 100-year design period.
Foul drainage is proposed to connect to an existing mains sewer located within the application site, via a privately owned manhole. Severn Trent Water has confirmed its acceptance of the proposed connection. The drainage design also incorporates water quality and pollution control measures through the use of vortex separators.

The Lead Local Flood Authority and the Council's Drainage Officer are satisfied that the proposed scheme provides appropriate attenuation, storage and disposal of surface water, ensuring that the development will not increase flood risk on or off site. Furthermore, the Local Highway Authority is satisfied that the proposed drainage measures will minimise the risk of surface water discharging onto the public highway, thereby safeguarding highway users. The proposal is therefore considered to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and the National Planning Policy Framework (2024).

Condition 25 SuDS Long Term Maintenance

The drainage document submitted with the design also includes a section on how the scheme is to be managed and maintained. It confirms that the drainage scheme will be the responsibility of the landowner. The drainage scheme which includes underground attenuation tanks has been designed to be fully accessible and maintainable with flooding easily visible if it was to occur. A Maintenance schedule for each element of the scheme is provided as per the manufactures recommendations and is set out in a table format with the maintenance operation and the frequency of which it is to be undertaken. The LLFA and Drainage Officer are satisfied that the scheme outlines the maintenance responsibilities, inspection regime and management measures proposed which will secure the satisfactory operation and longevity of the drainage scheme for the lifetime of the development.

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.
- For the avoidance of doubt, the approved model is the Hydro-Brake Optimum SHE-0145-1250-2100-1250 and this should not be substituted with any other brand or model of flow control.