

This matter is being dealt with by
Brian Mullin

Two Colton Square
Leicester LE1 1QH
DX [REDACTED]
T [REDACTED]

The Planning Department
Development Management
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR

Our ref: 1067071.10
Your ref: PP-12000451

09 March 2023

Online Submission Only

Dear Planning,

THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Application for Discharge of pre-commencement conditions 13, 16, 17, 18, 19, 21 and 24 of planning permission ref: 19/01437/FUL, the erection of 6 Golf holiday homes (C1) and all associated ancillary works and landscaping

At Kyngs Golf and Country Club, Station Road, Market Bosworth, Nuneaton, Leicestershire

Introduction

1. We write on behalf of Statue Homes Ltd ("the applicant") and hereby confirm submission of the above application, to discharge pre-commencement conditions 13, 16, 17, 18, 19, 21 and 24 of planning permission ref: 19/01437/FUL today via the Planning Portal to Hinckley and Bosworth Borough Council ("the Council") today. A BACS payment, for the correct amount of £116.00 has also been sent to the Council today.
2. The following documents accompany this electronic submission and should be read in conjunction with this covering letter:
 - Construction Traffic Management Plan (March 2023);
 - Habitat Management Plan, prepared by Ecology Solutions;
 - Phase I and II Geoenvironmental Report, prepared by Ivy House;

- Surface Water Management Plan for Mitigation Measures During Construction and Use of The Development Rev. A, prepared by PRP Consulting
 - Infiltration Test Report, prepared by PRP Consulting
3. Conditions 16, 17, 18 and 19 are all assessed in one section within this letter for brevity, given that the requirements of each condition are addressed within the Surface Water Management Plan for Mitigation Measures During Construction and Use of the Development, prepared by PRP Consulting.

Condition 13: Land Contamination Investigation

4. Pre-commencement condition 13 of planning permission ref: 19/01437/FUL reads as follows:

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 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 the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of ground and water pollution from previously unidentified contamination sources at the development site in accordance with Policy DM7 of the of the Site Allocations and Development Management Policies DPD (2016).and in line with the aims and objectives of the National Planning Policy Framework 2019.*

5. In pursuit of discharge of condition 13, please refer to the accompanying Phase I and Phase II Geoenvironmental Report, prepared by Ivy House Consulting. The report surveys the area of land associated with this permission, and also surveys the area of land where 9 additional holiday lodges were to be located under planning application ref: 18/00732/FUL, refused by the Council on 23 October 2018. This area of land is referred to as “plots 7 – 15” and **does not** form part of planning permission ref: 19/01437/FUL. The area of land associated with this permission is referred to in the Report as “the clubhouse” and “plots 1 – 6”.

6. Trial Pits were dug in the area comprising the clubhouse and plots 1 – 6, the area associated with this planning permission. The recommendations for the Report are set out at Section 11, stating as follows:

The ground conditions comprised Topsoil or Made Ground overlying the Wolston Clay, which comprised a soft to firm becoming stiff clay. Depending on the finished floor levels and if part of the site is built up for Plots 1-6, it is recommended strip footings 600mm wide are used for the majority of plots bearing on the firm to stiff clay at 1.00mbgl. However, for Plot 3 it is recommended the footings bear on the clay at 1.30mbgl due to their being deep Made Ground. For the clubhouse, it is recommended deep trenchfill is used bearing on the clay at 1.70mbgl. It is considered that either in-situ suspended or beam and block floor slabs with a 2000g gas membrane should be used for Plots 1-6 and the clubhouse.

The contamination assessment has concluded that the soils beneath the site do not pose a significant risk to human health or controlled waters. Buried asphalt recorded within the mounds near the western corner is unlikely to pose an environmental liability. The majority of the topsoil, Made Ground and natural soils are likely to be classed as non-hazardous for disposal.

7. The Report confirms that soil remediation is not considered to be required for the development (Section 9.0, page 16), and that gas protection measures are required for the clubhouse and plots 1 – 6. The details for the gas membrane protection measures are provided within the attached Geoenvironmental Report.
8. The accompanying Report confirms that the land has been assessed for its contamination potential and that no soil remediation is required, and that it is considered that condition 13 can be discharged on this basis.

Conditions 16, 17, 18 and 19: Infiltration Testing, Management of Surface Water during construction and during the lifetime of the development

9. Pre-commencement condition 16 of planning permission ref: 19/01437/FUL reads as follows:

No development shall commence until a surface water management plan has been submitted in writing to and approved in writing by the Local Planning Authority. The

approved details shall be implemented in full accordance before the development is first brought into use.

Reason: *To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).*

10. Pre-commencement condition 17 of planning permission ref: 19/01437/FUL reads as follows:

Prior to commencement of the development hereby approved, details in relation to the management of surface water on site during construction of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided. The development should be constructed in accordance with these details

Reason: *To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase according with Policy DM7 of the Site Allocations and Development Management Policies DPD.*

11. Pre-commencement condition 18 of planning permission ref: 19/01437/FUL reads as follows:

Prior to development being brought into use, details for the long term maintenance of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The Maintenance Plan should include details of routine maintenance, remedial actions and monitoring of the separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site.

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 within the development have been submitted to and approved in writing by the Local Planning Authority in accordance with DM7 of the Site Allocations and Development Management Policies DPD.*

12. Pre-commencement condition 19 of planning permission ref: 19/01437/FUL reads as follows:

Prior to commencement, infiltration testing shall be carried out to demonstrate the suitability of the site for the use of infiltration as a drainage element and the flood risk assessment (FRA) shall be updated accordingly to reflect any changes to the drainage strategy. The updated FRA and drainage strategy shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented and completed prior to first occupation of the holiday homes.

Reason: *To demonstrate that the site is suitable for the use of infiltration techniques as part of the drainage strategy to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.*

13. In pursuit of the above 4 pre-commencement conditions, all of which are pursuant to surface water management, please refer to the accompanying Surface Water Management Plan for Mitigation Measures During Construction and Use of The Development. With regards to the specific requirements of condition 16, these matters are dealt with throughout the document, including at Section 5, Flooding.
14. Regarding condition 17 and the management of surface water construction, this is dealt with at Sections 3 through 6 of the accompanying Management Plan.
15. Regarding the information requested under condition 18, please refer to Section 7 of the accompanying Plan, which details in full how the long term management of the surface water drainage system will be guaranteed. These details have also been provided at Appendix 4 of this report and should be read in conjunction with this section.
16. Regarding condition 19, please refer to section 2 of the accompanying plan and the Infiltration Test Report prepared by PRP.

Condition 21: Habitat Management Plan

17. Pre-commencement condition 21 of planning permission ref: 19/01437/FUL reads as follows:

A Habitat management plan is to be submitted to the Local Planning Authority prior to the commencement of the development hereby approved. This should include full details on how existing and proposed habitats will be managed. Further details on the proposed enhancement surrounding the existing ponds shall be included, and managed in accordance thereafter.

Reason: *To ensure the long-term health of existing and proposed habitats according with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).*

18. The submitted Habitat Management Plan, prepared by Ecology Solutions outlines the ecological baseline of the site, the management objectives and measures to be implemented on-site, the responsibilities for this work, alongside a full schedule of ecological works. The first step would be to maintain and enhance the existing retained habitats within the site, before maintaining populations of protected species at a favourable conservation status and seeking to increase biodiversity by maximising opportunities for flora and fauna. The habitat to be created is shown at Appendix 3 of the Report, with the indicative mix of the proposed habitat areas provided within Section 4.0 of the Habitat Management Plan. Details of the pond enhancements is provided at Appendix 1.

Condition 24: Construction Traffic Management Plan

19. Pre-commencement condition 24 of planning permission ref: 19/01437/FUL reads as follows:

No development shall commence on 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 hazardous for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area according with Policy DM18 of the Site Allocations and Development Management Policies Development Plan Document (2016).*

20. The attached Construction Traffic Management Plan provides details of the wheel cleansing facilities, vehicle parking facilities and a timetable for their provision throughout the construction process for the development. The wheel cleansing facilities have been so located as to reduce the distance vehicles will have to traverse the site before emerging onto the access track laid in tarmacadam. The timetable for provision outlines that development is anticipated to commence in late 2023, with the first steps on-site to remove the existing structures on-site, before commencing with the laying of the foundations for the clubhouse and plots 1- 6, the courtyard lodge development.

Conclusions

21. The Council are respectfully invited to discharge conditions 13, 21 and 24 (AMEND) of planning permission ref: 19/01437/FUL at their earliest convenience.
22. The contents of the accompanying Construction and Habitat Management Plans have been discussed at length between the appointed consultants and are considered to represent a proportionate and appropriate scheme of ecological management and mitigation, having reference to the ecological value of the site. The plans seek to ensure that existing on-site biodiversity is retained, with any impacts arising from the construction phase of development appropriately mitigated via appropriate construction methods and practices, and the replacement of any species with an appropriate, and in some cases, improved mix of species.
23. The submitted Construction Management Plan and Construction Environmental Management Plan also demonstrate that the proposed site layout can easily accommodate the required staff parking areas, wheel washing facilities and loading/unloading areas during construction, ensuring that any adverse impacts upon the surrounding highways network are mitigated to the appropriate level before and during the construction phases of the development.

24. We look forward to confirmation of receipt of this discharge of conditions application and the associated fee in due course. If there are any queries pursuant to this application prior to determination, please do not hesitate to contact Matthew Roe at your earliest convenience.



Matthew Roe MRTPI

