

**Delegated Report
Discharge of Conditions**

Planning Ref: 24/00911/DISCON
Applicant: Mr Adrian Burr
Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: Land Rear Of 5 - 15 The Coppice Burbage

Application to discharge conditions 3 (CEMP), 4 (Land Contamination), 6 (Gas Protection Measures), 7 (Surface Water Drainage), 8 (Archaeology), 10 (Hard and Soft Landscaping), 12 (Materials) 13 (Ecology Mitigation Measures), 15 (Waste and Recycling Collection) and 17 (External Lighting) relating to planning application 24/00818/CONDIT

Conditions and supporting details submitted to apply for the conditions to be discharged:

Condition 3

No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall include the following details: the provision made for the parking of vehicles by contractors, site operatives and visitors; the storage of plant and materials used in construction of the development; the erection and maintenance of security hoarding; measures to control the emission of noise during construction; measures to control the emission of dust and dirt during construction; details of how the site will be drained during construction. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period.

C3 CEMP Rev B – Received 6 November 2024

Condition 4

No development shall commence until a site investigation scheme dealing with contamination, any resultant remediation measures, verification these measures have taken place and details of any necessary future monitoring has been submitted to and approved in writing by the Local Planning Authority. The site shall be developed in accordance with these approved details

C4 & C6The Coppice Burbage Technical Addendum 27.11.24 – Received 27 November 2024

Received 7 November 2024

C4 & C6 Visqueen Ultimate Damp Proof Course datasheet

Received 16 October 2024

C4 & C6 Radon Gas Protection

Received 30 September 2024

C4 & C6 Remediation Method Statement - Ref 82907-02 A

Condition 6

No development shall commence until a scheme of gas protection measures as recommended within the submitted report on Ground Investigation by Nicholls Colton Geotechnical Ref G16195-IR has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

C4 & C6 The Coppice Burbage Technical Addendum 27.11.24 – Received 27 November 2024

Received 7 November 2024

C4 & C6 Visqueen Ultimate Damp Proof Course datasheet

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C4 & C6 Radon Gas Protection

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C4 & C6 Remediation Method Statement - Ref 82907-02 A

Condition 7

No development shall commence until a surface water drainage strategy and associated maintenance details, incorporating sustainable drainage principles, (SuDS), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be developed and maintained in perpetuity in accordance with these approved details. This drainage scheme shall not include any infiltration of surface water drainage on any land affected by contamination unless this has been agreed by the Local Planning Authority under the terms of Condition 4 above.

C7 Hydraulic Calculations 2024-11-05 CALC 82907 – Received 7 November 2024

Received 6 November 2024

C7 Proposed Drainage Layout 82907 - 102 P3

C7 Manhole Schedule 82907 - 103 P3

C7 - External Works and Surfacing - Drg No. 82907 - 110 - P2

Received 30 September 2024

C7 - Drainage Construction Details - Drg No. 82907 - 104

C7 - Infiltration Test Report - Ref 82907-03 A

Condition 8

The development hereby permitted shall be carried out in accordance with the archaeological works including investigation, monitoring, and subsequent reporting, archiving, and deposition works that are detailed in the Written Scheme of Investigation (WSI), which was submitted on 21 March 2024 and approved via Discharge of Conditions application 24/00265/DISCON, prior to its occupation.

Received 30 September 2024

C8 - Archaeological Strip, Map and Sample Report

C8 - Archaeological Evaluation Report

Condition 10

No development shall commence until a hard and soft landscaping scheme, to include full boundary treatment details, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all existing trees and hedgerows to be retained and shall be carried out in full prior to the first occupation of the development or in accordance with a programme to be agreed otherwise in writing by the Local Planning Authority

Received 6 December 2024

C10, 12, 15 & 17 - Materials and boundary treatments 12/71 60h

Received 30 September 2024

C10 - Landscaping Plan - Sheet 1 Drg No. 1252 EML XX XX DR D L 01

C10 - Landscaping Plan - Sheet 2 Drg No. 1252 EML XX XX DR D L 02 - Rev A

Condition 12

No building shall be constructed above damp proof course level until details of the facing bricks, roof tiles and window and door finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Received 6 December 2024

C10, 12, 15 & 17 - Materials and boundary treatments 12/71 60h

Condition 13

No occupation of any dwelling shall take place until a scheme of on-site Ecological Mitigation and Enhancement Measures, to broadly accord with the various measures depicted upon the submitted Ecological Mitigation and Enhancement Plan (Ref Plan ECO2 Rev E) and to include a timetable for delivery and maintenance programme, has been submitted to and approved in writing by the Local Planning Authority. The measures identified shall be delivered in accordance with the approved timetable and maintained in perpetuity in accordance with the approved maintenance programme

C13 - Ecological Mitigation and Enhancement Strategy – Received 30 September 2024

Condition 15

No occupation of any dwelling shall take place until a waste collection scheme that makes adequate provision for the storage and collection of waste has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme, and the approved storage and collection facilities shall be retained at all times thereafter.

Received 6 December 2024

C10, 12, 15 & 17 - Materials and boundary treatments 12/71 60h

Condition 17

No external lighting shall be installed unless details of the position and type of lighting have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any approved details.

Received 6 December 2024

C10, 12, 15 & 17 - Materials and boundary treatments 12/71 60h

Consultees / Assessed by:

Drainage Officer
Environmental Services Officer
Ecology
Compliance & Monitoring Officer

Conclusion / Summary:

Condition 3

The Construction Environmental Management Plan has been assessed by the Councils Environmental Services Officer who has confirmed it is acceptable. The plan confirms how they will minimise the impact on the environment such as working hours, site access for traffic and pedestrian routes, speed limits on site, highway cleanliness, noise and dust management, deliveries, and communication with the public, along with ensuring that welfare facilities are provided and sufficient parking on site for construction workers will be provided. The monitoring and control of those mitigation measures is also included together with the project team's responsibilities. The plan once implemented in full will assist in minimising the

disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) as best is possible.

Condition 4

The Geo-Environmental reports provided in support of Condition 4 show that no land contamination was found. The Councils Environmental Services Officer is satisfied with the results and its conclusion that no mitigation is required. This ensures 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). During the investigations, gas monitoring results slightly exceeded acceptable limits which are addressed in Condition 6. Additional Land Contamination which may be found during the construction period is covered by Condition 5 therefore Condition 4 is eligible for discharge.

Condition 6

The Geo-Environmental reports provided in support of Condition 6 details the gas monitoring that was undertaken which resulted in mitigation requirements to Plots 1 to 4 which are adjacent to existing properties. The current mitigation measures are a gas membrane below the footprint of each of the units and the installation of a gas trench, to enable gas to escape and not to contaminate the application site any further. To facilitate the gas trench will jeopardise protected tree root protection areas, and existing boundary treatments which are to be retained. Discussions have taken place between the Consultant, Developer, Environmental Services Officer and the Compliance and Monitoring Officer for a pragmatic solution. to the location of the trench has been considered, to avoid protected tree roots, but this option may reduce the effectiveness of the trench. As the monitoring was undertaken some time ago and as the levels previously found were just over the acceptable limits which may have now dispersed given the timeframe, the developer has agreed to undertake further gas monitoring . The Consultants have provided an addendum to the original submitted reports that provides details of the further investigations to take place. The Councils Environmental Services Officer has agreed that this would be the best approach and that it is acceptable for the Council to allow works to commence on the site for plots to the rear of the site being Plots 5 – 8 which are not affected. The further monitoring will give up to date results in order to ensure satisfactory and necessary mitigation measures are provided to safeguard human health and to ensure that the necessary measures are taken to avoid any risk to public safety, in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016). The details submitted are acceptable to enable commencement to the rear of the site.

Once the gas monitoring is completed, a report with the results and any mitigation is to be submitted for approval.

Condition 7

A drainage scheme has been provided along with micro drainage calculations. The documents provided have been assessed by the Councils Drainage Officer who is satisfied with the proposed drainage. Therefore, the LPA are satisfied that the details ensure that the development will be 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 adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 8

An archaeological strip, map and sample report has been submitted and assessed by Leicestershire County Council Archaeologist. The report confirms no further archaeological investigations are required as nothing was discovered in the archaeological strips. The report

includes a commitment to OASIS reporting with the ADS and an accession number for the LMS and therefore confirms that the relevant archaeological investigations and recording of the site, have been completed in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016).

Condition 10

A boundary treatment plan has been provided that details mostly the existing boundary to existing dwellings and to plots 1 -4 will remain in place apart from a 1.8m close board fence being erected and part of the laurel hedge removed to accommodate the garage to plot 1. It details the existing planting to this boundary which is to be retained and which will be cut back and/or infilled as required. The Northwest boundary will remain in place with the boundary treatment to the south of the site for gardens of plots 5 – 8 will be 1100m post and rail. All plots will be divided by a 1.8 close boarded fence. Existing hedges/tree lines will remain to the East and Northeast boundaries of the site. Hard surfacing consists of tarmac and block paving in two different tones on private driveways, with grey to distinguish shared private roads. Patios to the rear of each plot will be to client's preference. Detailed soft landscaping plans have been provided. Significant areas of existing landscaping will remain and be tidied up together with additional planting of trees, shrubs and cultivated lawns to the entrance of the development. Native species and landscaping for the ecological enhancement area is proposed, which shall have mown pathways to gain access to the open space area and a pedestrian link to an adjacent footpath. The landscaping will be completed to the development prior to the occupation of the final dwelling to ensure it is completed. The strategically laid out landscaping scheme will provide the development with a satisfactory appearance but also the necessary ecological enhancements satisfactory in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Note: The LPA were advised that the laurel hedge that has been planted within the application site belongs to No 5 The Coppice. The existing landscaping and boundary treatment to existing dwellings is to be retained where possible as it is well established and creates an immediate substantial boundary, however not all can be retained due to the location of the new garage to plot 1. As the laurel hedge has been planted on the application land it has been confirmed that this is a civil matter and not a planning consideration.

Condition 12

Materials for the development are detailed on plan 12/71 60 Rev h and elevational approval drawings on application 24/00818/CONDIT. The materials consist of UpVC flush casement windows in anthracite grey, along with black rainwater goods and white soffits and fascias. There will be a mix of Ibstock Ivanhoe Westminster which is mix of bricks in the pallet from smooth red, lighter orange and some darker sections with more texture than a Ibstock Cavendish Stock brick which has less variant of colours in the pallet with some bricks having darker speckled areas. The bricks are complimented with a smooth off-white render and some cladding in Epoch constituted stone. The roof tiles will either be charcoal or rustic red giving a variance similar to the use of two types of bricks. The materials compliment the design of the new dwellings, have a linked in appearance the existing properties to ensure that the development has a satisfactory external appearance with the use of quality materials in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 13

An Ecological Mitigation & Enhancement Strategy has been submitted in support of Condition 13 and assessed by the County's Ecologist. The strategy is acceptable as it demonstrates the protection measures to be undertaken during the construction period, the retained vegetation and any proposed ecological enhancements to the site. Together, these measures will 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 to make relevant improvements to mitigate the impact of the development.

Condition 15

A bin collection point is shown on plan 12/71 60 Rev h which is close enough to the highway boundary to satisfy the Councils Waste & Recycling Policy while also being set back from the existing dwelling at No.5 The Coppice. Bin storage is provided to each property within their residential curtilage. Having a storage point to each dwelling will ensure that the collection point is only used on collection days so as not to be permanently 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).

Condition 17

Plan 12/71 60 Rev h details low level lighting with bollards along the driveway as there will be no other form of street lighting within the development. The low level and type of bollards proposed will ensure that lux levels are not above 1. This provides light to future residents without significantly impacting existing residents through nuisance from artificial light while also avoiding significant impacts on protected wildlife species, in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Officer Recommendations:

Condition 3 Construction Environmental Management Plan - Discharge

Condition 4 Land Contamination – Discharge

Condition 6 Gas Protection Measures – Details are acceptable

Condition 7 Surface Water Drainage – Discharge

Condition 8 Archaeology – Discharge

Condition 10 Hard and Soft Landscaping – Discharge

Condition 12 Materials – Discharge

Condition 13 Ecology Mitigation Measures – Discharge

Condition 15 Waste & Recycling – Discharge

Condition 17 External Lighting – Discharge