

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00273/DISCON
Applicant: Statue Homes Ltd
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Kyngs Golf And Country Club Station Road Market Bosworth

Application to discharge condition 13 (contamination) 16 (Surface water management) 17 (drainage during construction) 18 (long term maintenance of drainage) 19 (Infiltration) 21 (habitat management plan) 24 (construction management plan) attached to planning permission 19/01437/FUL

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

Condition 13

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.

C13, Phase I and II Geo-environmental Report - Received 2 March 2023

Condition 16

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.

Received 24 August 2023

C16, C17 & C18 Proposed Drainage Layout 82659-101 P2

C16 Drainage Construction Details 82659 – 102 P2

C16 Manhole & Pipe Schedule 82659 – 103 P2

C16 Section Through Pond & Headwall 82659 – 104 P2

C16 External Works & Surfacing Plan 82659 – 110 P3

C16 External Works & Surfacing Plan Construction Details 82659 – 111 P3

C16 Full Network Attenuation Pond & FCC 82659

Received 1 August 2023

C16 Maintenance Schedule

Received 21 March 2023

C16, C17, C18, C19 Surface Water Management Plan

Condition 17

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

Received 21 March 2023

C16,C17,C18,C19,Surface Water Management Plan

Condition 18

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.

Received 1 August 2023

C16 Maintenance Schedule

Received 21 March 2023

C16, C17, C18,C19,Surface Water Management Plan

Condition 19

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.

C19 Infiltration Test Report - Received 21 March 2023

Condition 21

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.

C21 Habitat Management Plan – Received 21 March 2023

Condition 24

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.

C24 Construction Management Plan – Received 21 March 2023

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council

Drainage Officer

LCC Ecology

Environmental Services Officer

Conclusion / Summary:

Condition 13

A Phase I & II study has been provided that details gas protection measures are required. Two adequate measures are detailed within the document, and one should be chosen and implemented. The details demonstrate that acceptable mitigation measures will be implemented 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 Site Allocations and Development Management Policies DPD (2016), and in line with the aims and objectives of the National Planning Policy Framework 2019 which enables the condition to be partially discharged. The applicant will need to provide full validation to enable the condition to be fully discharged depending on which option they take. A new application and fee will be required.

Condition 16

Proposed Drainage Strategy has been submitted together with full micro drainage calculations in support of Condition 16. The LLFA and Councils Drainage Officer have advised that the details are sufficient to support the discharge of condition 16 as the details demonstrated 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 Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 17

Details have been submitted which include how they propose 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 which is acceptable to the LLFA and the Drainage Office advises acceptable subject to the discharge of condition 16

Condition 18

Details have been submitted and assessed by the LLFA and the Councils Drainage Officer. The details demonstrate that a suitable maintenance regime that can be monitored over time which 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 and therefore is eligible for discharge subject to the discharge of Condition 16

Condition 19

Infiltration testing has been completed on the development site and a final report provided. The test results are that the ground is practically impermeable which demonstrates that the site is not 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 and therefore alternative methods are to be sought. The LLFA are satisfied that the testing has been completed and results acceptable to discharge the condition.

Condition 21

A Habitat Management Plan has been provided in support of Condition 21 and assessed by the County's Ecologist. The plan demonstrates how they will 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) and therefore the condition is eligible for discharge.

Condition 24

A Construction Management Plan has been submitted and assessed by the Councils Environmental Officer and the Local Highway Authority who has found the document to be acceptable as it demonstrates how they will 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).

Officer Recommendations:

Condition 13 Land Contamination – Partial Discharge

Condition 16 Surface Water Management – Discharge

Condition 17 Surface Water Management during construction – Discharge

Condition 18 Long Term Maintenance – Discharge

Condition 19 Infiltration – Discharge

Condition 21 Habitat Management Plan – Discharge

Condition 24 Construction Management Plan – Discharge