

**Delegated Report
Discharge of Conditions**

Planning Ref: 25/00069/DISCON
Applicant: Allison Homes
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: Land South Of 295 Main Street Stanton Under Bardon

Application to discharge C5 (Contamination) C7 (Surface Water Drainage Scheme) C8 (Surface Water drainage during construction) C10 (Infiltration testing) C16 (CTMP) C21 (PRoW) C22 (Tree protection) C23 (Broadband) attached to planning permission 22/00527/OUT

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

Condition 5

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.

C5, C10, Geoenvironmental Appraisal – Received 30 January 2025

Condition 7

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. The development must be carried out in accordance with these approved details, which shall be completed prior to first occupation.

Received 30 January 2025

C7, Section 104 Layout, Drg No. 24001-BMC-24-XX-DR-C-500-Rev P03

C7 P24-005 Adoptable SW Network 2025-01-25 (Calculations)

C7, C8 & C10 SUB-SWMP-010RevA Drg No: SUB/SWMP/01 (C7, 8 & 10)

Condition 8

No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority. Details shall 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 construction of the development shall be carried out in accordance with these approved details.

Received 30 January 2025

C7, C8 & C10 SUB-SWMP-010RevA Drg No: SUB/SWMP/01 (C7, 8 & 10)

Condition 10

No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude the requirement for testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Received 30 January 2025

C7, C8 & C10 SUB-SWMP-010RevA Drg No: SUB/SWMP/01 (C7, 8 & 10)

C5, C10, Geoenvironmental Appraisal

Condition 16

No development shall commence on the site until such time as a construction traffic management plan, including, as a minimum, details of the routing of construction traffic, 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.

Received 3 July 2025

C16 CEMP Rev E 02.07.25 (As part of Condition 16)

Received 10 June 2025

C16 Stanton - Construction Vehicle Routing Plan Allison Homes drawing number M0003/502 Rev A

C16 Temporary Construction Access SUB 01

C16 Construction Area Plan & Build Route SUB/CA/01 Rev E

C16 Rigid truck vehicle tracking BMC drawing number 24005-BMC-25-XX-DR-C-832 Rev. P01

C16 E-mail dated 13th June 2025 regarding construction traffic routing, the temporary construction access and the number/ type of vehicles likely to use it

Condition 21

No development shall take place until a scheme for the treatment of the Public Right of Way (R19) has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include details of surfacing, width, structures, signing, landscaping, and management during construction, in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. The scheme shall be implemented in full prior to the first occupation of any dwelling.

Received 10 June 2025

C21 PRow Materials Layout Allison Homes drawing number SUB/ML/001 Rev. H

C16 & C21 Construction Area Plan & Build Route Allison Homes drawing number SUB/CA/01 Rev E

Received 26 March 2025

C21 P24-1430_EN_0002_S2_REV F Detailed Soft Landscape Proposals

C21 P24-1430_EN_0002_S1_REV F Detailed Soft Landscape Proposals

Condition 22

Before any development commences on site, including site works of any description, a Tree Protection Plan for the Category B Tree, T23, as identified within the submitted Tree Survey & Arboricultural Implications Assessment Tree Retention & Removal Plan (submitted: 08.011.2022), which has been prepared by a suitably qualified arboriculturist shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall include protective barriers to form a secure construction exclusion zone and root protection area in accordance with British Standard 5837:2012 Trees in relation to design, any trenches for services are required within the fenced-off areas, they shall be excavated and back-filled by hand and tree roots or clumps of roots encountered with a diameter of 25cm or more shall be left unsevered. The development shall be implemented in accordance with the approved Tree Protection Plan.

C22 AWA Arboricultural Method Statement Stanton AWA6444 - Received 11 February 2025

C22 Ecological Assessment – Received 30 January 2025

Condition 23

Prior to the commencement of development, full details for the provision of electronic communications infrastructure to serve the development, including full fibre broadband connections, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details, and the infrastructure must be fully available prior to the occupation of each dwelling/unit on the site.

C23 M0003-111_Fibre Entry Points Layout-Rev – Received 24 June 2025

Received 30 January 2025

C23, Signed Acceptance between the client and Infrastructure Gateway Ltd

Consultees/Assessed by

Environmental Services
Compliance & Monitoring Officer
LCC Highways
Drainage Officer

Conclusion / Summary:

Condition 5

The Geoenvironmental Appraisal has been undertaken and the results provided within the report advise that a 300mm of cap soil is to be provided as detailed in the report. The Council's Environmental Services Officer is satisfied that a satisfactory investigation has taken place with relevant remediation works which will 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 Site Allocations and Development Management Policies Development Plan Document (2016). The Environmental Services Officer has advised that a partial discharge would be appropriate, however the wording of the condition does not allow for this but ensures that the works are carried out in accordance with the approved details. The developer will be advised of an option to provide the proof that approved topsoil that is imported is clean so that the LPA can record this on file for information.

Condition 7

A drainage plan has been submitted to show the drainage proposals for the scheme and private drainage plans together with a surface water management plan. The Council's Drainage Officer has reviewed the scheme for its acceptability and has confirmed that the supporting surface water calculations demonstrate that the proposed drainage scheme is satisfactory and has taken into consideration climate change which together with the management plan will help to prevent flooding as it ensures that there is satisfactory storage or surface water drainage for site in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016), and Section 14 of the National Planning Policy Framework (2024).

Condition 8

The surface water management plan submitted details how the drainage scheme will be managed during the construction phase. The Council's Drainage Officer has advised that the scheme is satisfactory to ensure that the developments surface water run-off quality is retained and to prevent damage to the final surface water management systems though the entire developments construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016), and Section 14 of the National Planning Policy Framework (2024).

Condition 10

The Geoenvironmental Appraisal investigates the development site as to its ability to use infiltration techniques for the drainage scheme. The results from the investigations determine that there will likely be a need for surface water balancing. The Council's Drainage Officer is satisfied that the results of the report identify that the site is not suitable for infiltration techniques as part of the drainage strategy in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016), and Section 14 of the National Planning Policy Framework (2024).

Condition 16

Condition 16 was submitted for discharge, with details reviewed by the Local Highway Authority (LHA), Leicestershire County Council. During the consultation process, a revised traffic routing plan was proposed. Initially, the developer suggested that construction traffic follow the A511, B585, and then proceed via Stanton Lane/Ellostown Lane onto Main Street to access the development site. However, the LHA recommended an alternative route through Stanton Under Bardon village via Stanton Lane. This recommendation was based on concerns that the original route had already sustained damage from HGVs and that drivers may not anticipate encountering large vehicles on narrow, rural roads and the higher speed limit.

The Local Planning Authority (LPA) also received correspondence from local councillors, representing residents' concerns about traffic routing. These concerns were forwarded to the LHA for consideration. As a result, a revised routing plan was submitted, directing construction vehicles directly along Stanton Lane and through Main Street in the village.

The LHA considers this revised route preferable due to improved forward visibility, allowing drivers to safely pull over for passing vehicles. Additionally, the route benefits from a lower speed limit of 30mph through Main Street, compared to the national speed limit on the longer route, which cannot be reduced and is deemed less safe.

To further mitigate impacts, the developer has committed to scheduling deliveries during off-peak hours to assist in reducing HGV traffic to and from the development site during busy periods. The Construction Traffic Management Plan (CTMP) also includes provisions for on-site wheel washing facilities to prevent mud from being deposited on local roads, as well as designated areas for material storage and employee/visitor parking.

A temporary access point will be used for up to six weeks, and the LHA has confirmed that its limited use is acceptable. Overall, the CTMP and the preferred traffic routing plan offer the most appropriate mitigation measures given the site's location, aligning with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 21

The Materials Plan SUB/ML/001 Rev H has been submitted that details the materials, way marker and fingerposts to be implemented to improve public right of way R19 and their location together with a kissing gate and soft landscaping proposals. The LHA have reviewed the details submitted to support condition 21 and found them to be satisfactory so as to meet the principles set out in the Leicestershire County Council's Guidance Notes for the protection and enhancement to the Public Rights of Way and access in accordance with Paragraph 107 of the National Planning Policy Framework (2024).

Condition 22

A tree protection plan and ecological assessment has been submitted to support the discharge of condition 22. During the discharge application a NMA was submitted and approved under 25/00425/NMA for the wording change with the date of the tree assessment plan and retention to 8.11.22 which related to the access layout not T23. The tree protection plan has been provided by AWA Tree Consultants and details a method statement which conforms to BS 5837:2012 has been submitted. The TPP recognises that there is a Tree Protection Order within the site and any works required to the trees within the TPO will need to be approved prior to any works being undertaken. The plan provides a method statement timeline and how trees are to be protected and any managed. Tree protection fencing will used to south of T23 with an existing hedge and fencing already in place which will protect T23 to the east and west. Hand tools will be used during excavations within root protection zones which will assist to minimize damage to the roots. Areas to be protected will have signs to notify where the Construction Exclusion Zones are. Monitoring of the site during the construction period are to be undertake by a suitably qualified Tree Arboriculturist. The LPA is of the opinion that the details provided and once implemented will help protect T23 on site which is to retained and demonstrates how they propose to protect it during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016), and Paragraph 189 of the National Planning Policy Framework (2024).

Condition 23

The fibre entry points & design plan, and a signed agreement has been provided to support the discharge of condition 23. The plan demonstrates how fibre optic broadband will be delivered to the site and the developers' commitment to the provider. The LPA are of the opinion that once implemented the development will be provide with a high quality and reliable communications infrastructure network to serve the development to accord with Paragraph 121 of the National Planning Policy Framework (2024).

Officer Recommendations:

Condition 5 Land Contamination – Discharge

Condition 7 Surface Water Drainage Scheme – Discharge
Condition 8 SuDS during Construction – Discharge
Condition 10 Infiltration – Discharge
Condition 16 CTMP – Discharge
Condition 21 PRow – Discharge
Condition 22 Tree Protection – Discharge
Condition 23 Broadband – Discharge