

# Hinckley & Bosworth Borough Council

## Town and Country Planning Act 1990 (as amended) Discharge of Conditions

### DoC Decision Notice Split Decision - Discharge of Conditions

Esther Wiles  
Charles Church Developments Ltd  
Davidson House  
Leicester  
LE19 1WZ

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#### Details of Application:

Application Ref: 24/00327/DISCON

Proposal: Application to discharge conditions 9 (materials), 11 (land contamination), 15 (surface water drainage scheme), 16 (surface water drainage long term maintenance), 18 (Construction Environmental Management Plan) on Appeal Decision APP/K2420/W/22/3301735 relating to planning application 21/01131/OUT

Location: Land Off Sketchley Lane

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The details submitted have been considered by the Local Planning Authority and the details supporting conditions 11 & 18 are acceptable and the conditions are hereby discharged. Condition 16 details are acceptable subject to the approval of Condition 15. Conditions 9 and 15, the details of which are not acceptable and as such remain outstanding and are not discharged.

#### **UN-DISCHARGED CONDITIONS**

The following conditions are unacceptable to the Local Planning Authority for Discharge and remain **UN-DISCHARGED**.

##### Condition 9

No development shall commence until representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings and garages have been deposited with and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Received 11 June 2024**

**C9 Materials Brick Samples Ibstock Brunswick Farmhouse, Balmoral, Brunswick Antique, Welbeck Autum Antique  
C9 Materials Tile Samples**

**Received 5 April 2024**

**C9 - Materials Layout Plan - Drg No. TGDP/SG-BH/MP1 Rev C**

**Reason:** The LPA are not in receipt of an alternative brick sample as one type is to be removed together with a revised materials layout plan. The details do not fully demonstrate to the LPA that the appearance of the development in the interests of visual amenity will accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

##### Condition 15

No development shall commence until details of a sustainable surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The submitted scheme should

include infiltration testing to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element and should ensure that surface water does not drain into the Public Highway. The submitted scheme should also include details of the management of surface water on site during construction of the development. Development shall be carried out in accordance with the approved details.

**Received 8 July 2024**

**C15 Basin Sections 23053 030A**

**C15 Private Drainage 23053 120A**

**C15 Private Drainage 23053 121A**

**C15 Private Drainage 23053 122A**

**C15 S104 Drainage Layout Sheet 1 23053 160C**

**C15 S104 Drainage Layout Sheet 2 23053 161C**

**C15 Drainage Long sections Sheet 1 23053 205A**

**C15 Drainage Long sections Sheet 2 23053 206A**

**C15 Drainage Long sections Sheet 3 23053 207A**

**C15 Drainage Long sections Sheet 4 23053 208B**

**C15 S104 Drainage Construction Details 23053 305**

**C15 SW Manhole Schedule 23053 310D**

**C15 FW Manhole Schedule 23053 311C**

**C15 Headwall Detail 23053 315 S13**

**C15 Headwall Detail 23053 316 S14**

**C15 Control Chamber Detail 23053 320 S15**

**C15 Soil Infiltration Rate Calculations 28959-CALC-0401**

**C15 Design Report 240301**

**C15 Headwall + 3 Sided Kee Klamp S17 SFA10C**

**C15 S104 Technical Approval.**

**C15 & C16 Landscape & SUDS Maintenance Plan - REV C**

**Received 10 June 2024**

**C15 Drainage Statement**

Reason: There are discrepancies in the manhole cover levels, a catchment area plan is required to support the hydraulic calculations, a flood flow routing plan and further construction details of the proposed attenuation basin is required to adequately demonstrate to the LLFA that the development will be provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy DM of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

**DISCHARGED CONDITIONS**

The details submitted with the following conditions are acceptable to the Local Planning Authority and are hereby **DISCHARGED** subject to the scheme being carried out strictly in accordance with the approved details;

**Condition 11**

Notwithstanding the recommendations within the Phase 1 Ground Condition Assessment, no development shall commence 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. The submitted scheme 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.

**C11 Interpretive Ground Investigation Report – Received 5 April 2024**

Condition 16

No development shall commence on site until details of the long-term maintenance of the sustainable surface water drainage system within the development have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Received 8 July 2024**

**C15 & C16 Landscape & SUDS Maintenance Plan - REV C**

Acceptable subject to Condition 15 being Discharged

Condition 18

No development shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority and the approved details shall then remain in force throughout the construction period. The CEMP shall detail how, during the site preparation and construction phase of the development, the impact from dust, odour, noise, smoke, light and land contamination on existing and proposed residential premises and the environment shall be prevented or mitigated. The CEMP shall detail how such controls will be monitored and a procedure for the investigation of complaints.

**C18 - Construction Environment Management Plan Rev B WIP – Received 1 August 2024**

**C18 Confirmation Piling not above 3mm/s - Received 5 July 2024**

**C18 Piling Letter Drop – Received 1 July 2024**

**C18 20-2216 Roger Bullivant Noise AB 5054 – Received 1 July 2024**

**C18 Vibration v Distance Graph – Received 1 July 2024**

**C18 - Construction Traffic Management Plan - Drg No. SGB/CTMP/01 – Received 5 April 2024**

**Important Notes;**

Where conditions re-main UN-DISCHARGED, a new application must be submitted with all relevant details and additional details that will address the reasons why the condition remains undischarged.

Where conditions 11 & 18 have been DISCHARGED, the scheme must be fully implemented and maintained in accordance with the approved details. Condition 16 is acceptable subject to the approval of Condition 15



Christopher Brown MRTPI  
**Head of Planning**

Date: 2 August 2024