

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00996/DISCON
Applicant: Mr Richard Trye
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 1 Trinity Vicarage Road Hinckley Leicestershire

Application to discharge conditions 3 Waste and Recycling, 4 Surface Water Drainage ,5 Long Term Maintenance (SuDS), C6 Electrical Vehicle Charging Points and 13 (Land Contamination) attached to planning permission 22/00195/FUL

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

Condition 3

No development shall commence on site until a scheme that makes provision for waste and recycling storage and collection across the site has been submitted in writing to and approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

C3 Waste & Recycling Collection Point – Received 24 October 2023

C3 Waste & Recycling Elevation – Received 7 November 2023

C3 Cover email Hit & miss wooden fencing in green or brown. 6ft in height

Condition 4

Development shall not begin until a scheme to provide a sustainable surface water drainage system in accordance with the Flood Risk and Sustainable Drainage Assessment dated August 2018 has been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Received 1 March 2024

C4 Phase II Report (contains infiltration information)

Received 1 March 2024

C4 STW Response to confirm separate approval for connection required

C4 & C5 Drainage Report (Updated Nov 2023) – Received 30 November 2023

C4 Flood Risk and Sustainable Drainage assessment – Received 10 October 2023

Condition 5

Prior to commencement of development details in relation to the long term maintenance of the sustainable surface water drainage system on the development shall be submitted to and approved in writing by the Local Planning Authority. Details of the SuDS Maintenance Plan should include responsibilities and schedules for 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.

C4 & C5 Drainage Report (Updated Nov 2023) – Received 30 November 2023

Condition 6

Prior to the commencement of development, a scheme for the installation of electric vehicle charging points will be submitted to and approved in writing by the local planning authority. The scheme shall identify the number of units to benefit from electric charging points, together with full detail of the location and fitting of the units.

C6 EV Charging Points – Received 10 October 2023
C6 Email – Chargers Installed to be Zappa Rolex or equivalent

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 II Geo environmental report - Received 10 October 2023

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council
Environmental Services
Drainage Officer
Waste & Recycling
Compliance & Monitoring Officer

Conclusion / Summary:

Condition 3

A bin collection point is detailed on the highway boundary which is accompanied by an elevation photo and email to confirm it will be an enclosed hit & miss wooden fence 6ft in height and gates which will help assist to minimise the visual impact of the bins so that they are not detrimental to the street scene and the overall design of the scheme but meet the Councils Waste & Recycling collection policy in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 4

Drainage details have been submitted and assessed by the Councils Drainage Officer who has found that the details acceptable, however the LLFA required further details of;

- SuDS flow control products to include surface water model and engineering layout
- Details demonstrating how surface water will be managed on site to prevent and increase in floor risk during construction for all stages (temporary attenuation, additional treatment, control, maintenance and protection to include protection of any proposed infiltration areas)
- The pervious paving should be lined with a pervious membrane to promote infiltration where possible.
- Surface water drainage strategy which seeks to discharge at greenfield rates

Without the above details the LLFA object to discharging the condition as the details don't fully demonstrate to them that the site will have a satisfactory storage and disposal of surface water to prevent additional flooding from the site once built and during construction in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and the requirements of the NPPF. The LPA are therefore not in a position to discharge Condition 4

Condition 5

Within the drainage report proposed maintenance to the surface water drainage system has been provided which the Councils Drainage Officer was in acceptance of, however the LLFA have not responded to condition 5 until they have received the full details for Condition 4 and therefore the condition remains undischarged as until the strategy / scheme is approved then the

maintenance cannot yet be confirmed to ensure that flooding is prevented by ensuring that there is satisfactory storage and disposal of surface water from the site in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and the requirements of the NPPF.

Condition 6

A plan details the locations of the charging points to the development site along with a covering email which confirms that a Zappa Rolex ICS (or equivalent) will be installed. The details ensure that the development meet the requirements of Policy DM10 (g) of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 112 (e) of the National Planning Policy Framework.

Condition 13

A Phase II investigation has taken place and report submitted in support of Condition 13 and assessed by the Councils Environmental Services Officer. The remediation strategy detailed within is satisfactory provided there are no soft landscaped areas on the site and it is confirmed that the asbestos areas are to be covered with hard surfacing. If soft landscaping was proposed for the site then the report should be updated to reflect this and confirm what remediation. Whilst the Design & Access Statement indicates there will be a soft landscaped communal area, the approved plans suggest there will not, and no condition has been advised to provide a landscaping scheme, therefore in the interests of ensuring against issues arising from land contamination in accordance Policy 7 of the Site Allocations and Development Management Policies DPD (2016) and with the National Planning Policy Framework (2021) however the report or an addendum needs to be provided that states there will be no soft landscaping and the asbestos is covered with hard surfacing so the LPA are not in a position to discharge the condition at this time

Officer Recommendations:

Condition 3 Waste & Recycling – Discharge

Condition 4 Surface Water Drainage – Not Discharged

Condition 5 Long Term Maintenance of Drainage Scheme - Not Discharged

Condition 6 Electrical Vehicle Charging Points – Discharge

Condition 13 Land Contamination – Not Discharged