

**Delegated Report
Discharge of Conditions**

Planning Ref: 24/00349/DISCON
Applicant: Mr Jack Evans
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: Land Northeast Of Triumph Motorcycles Ltd Normandy Way

Proposal: **Phase 4** - Application to discharge conditions 7 (Travel Plan), 11 (Walls, fences and gates), 12 (Levels), 13 (Materials), 14 (Water Vole), 23 (FRA), 25 (Surface Water Drainage), 29 (Land Contamination), 31 (Landfill Gas), (32 (Air Quality), 33 (Noise), 34 (Lighting) of application 15/00188/OUT (23/00574/REM)

Conditions and supporting details submitted to apply for the conditions to be discharged for PHASE 4 (23/00574/REM)

Condition 7

In accordance with the Phasing Plan, prior to the occupation of each phase a Residential Travel Plan, in accordance with the Framework Travel Plan, shall be submitted to and agreed in writing by the LPA. The measures approved shall thereafter be provided.

C7 Travel Plan 1 of 2 & 2 of 2 – Received 11 April 2024

Condition 11

No development shall commence, in any phase, unless and until details of all proposed walls, fences, railings and gates for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details and no building shall first be occupied until the boundary treatments associated with that building have been installed, unless otherwise agreed in writing with the Local Planning Authority.

C11N1787_RM-700E Boundary Treatments Plan Dated 30 January 2024 (Boundary Treatments knee rails) as approved under 23/00574/REM)

Received 8 October 2024

C11 NIA - Means of Enclosure Whole Site 332511328_NIA(Rev1) _13032024_PT_MM

Received 23 April 2025

C11 Means of Enclosure EM064-SL-404F (Play Area)

Received 6 May 2025

C11 EM100-LS-023h (Site Landscaping Ph4) Play Area Boundary Treatments

C11 EM100-LS-014n (Site Landscaping Ph4)

Condition 12

No development shall commence, in any phase, unless and until such time as the existing and proposed ground levels of the site, and proposed finished floor levels for that phase have been submitted to and agreed in writing by the local planning authority. The development shall then be implemented in accordance with approved details.

Received 19 March 2025

C12 PHASE 4 - Finished Floor Levels- Drg No. MI100-EN-411G

C12 MI100-EN-421J (PHASE 4 - External Levels and Drainage Sheet 1 + Plots 452-499).

C12 MI100-EN-422J (PHASE 4 - External Levels and Drainage Sheet 2 + Plots 651-660 & 678-701)

C12 MI100-EN-423F (PHASE 4 - External Levels and Drainage Sheet 3

C12 MI100-EN-424F (PHASE 4 - External Levels and Drainage Sheet 4 + Plots 600-638)

C12 MI100-EN-425G (PHASE 4 - External Levels and Drainage Sheet 5 + Plots 580-599)

C12 MI100-EN-426F (PHASE 4 - External Levels and Drainage Sheet 6 + Plots 561-579)

Note: Phase 5 levels are included on this plan but have not been assessed as part of Phase 4

Condition 13

No development shall commence, in any phase, unless and until such time as representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings/buildings for that phase have been deposited with and approved in writing by the local planning authority. The development shall be implemented in accordance with those approved materials.

C13 Materials Layout MI100-SL-402 Rev 0 – Received 24 October 2024

Condition 14

No development shall commence on site until a Water Vole Mitigation Strategy, based on the principles outlined on the Water Vole Habitat Strategy Plan Dwg No DE155_006, has been submitted to and agreed in writing by the Local Planning Authority. The submitted details shall include a phased programme of mitigation works relative to the build programme of the development. The development shall be carried out in accordance with the approved scheme.

C14 Protected vole corridor – Received 11 April 2024

Condition 23

The development of each phase permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated February 2015, ref: 30667/4001 and the following mitigation measures detailed within the FRA:

1. No development within the 100-year (Flood Zone 3) floodplain outline established by the FRA. Sequentially set out development within the 100-year (Flood Zone 2) floodplain established by the FRA - Sections 4.2.10, 5.1.1 and 5.2.1, Figure 4.2 and Appendix D.
2. Minimum 6m corridor from top of bank (clear of structures) along the existing on site retained main watercourses - Sections 5.1.1 and 5.3.3, and Appendix E.
3. Finished floor levels are set no lower than 600mm above the 100 years plus 20% (for climate change) flood level applicable to each Phase of the development, to Ordnance Datum (AOD) - Section 5.1.1.
4. Watercourse crossings are designed as clear spanning structures/or an equivalent (where provided by culvert) in accordance with CIRIA C689, and in consultation with Leicestershire County Council as the Lead Local Flood Authority.

The mitigation measure/s shall be fully implemented prior to occupation of each development phase and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Received 19 April 2024

C23 Addendum FRA January 23

Received 8 October 2024

C23 PHASE 4 - Culvert Detail - Drg No. MI100-EN-420B

C23 Temp Haul Road Culvert Consent - HMS 827773

C23 Temporary Culvert for Haul Road - Drg No. MI100-EN-246A

C23 LCC - P2973-R-S38 Revised Technical Approval letter Phase 4 part 2. 18.09.24

C23 LCC - Hinckley PH4 Land Drainage Consent Certificate. 24.04.24

C23 & 25 PHASE 4&5 - S104 Adoption plan - Drg No. MI100-EN-400Q

C23 LCC - P2973-H- Normandy files phase 2 part 2 s38 Revised Technical Approval letter 16.08.23

C23 Leicestershire County Council - Ordinary Watercourse Land Drainage Consent Box Culvert Works - RA - 24 May 2017

C23 Watercourse Crossing - Drg No. 105

Condition 25

No development of each Phase shall take place until the detailed design of a surface water drainage scheme and a foul drainage scheme for that Phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage scheme information should demonstrate the surface water run-off generated up to and including the 100 years plus 30% (for climate change) critical rainstorm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Received 11 February 2025

C25 Network 5 Manhole Schedule

C25 Network 4 Manhole Schedule

C25 - MI100-EN-450 (PHASE 4 - Overflow Swale Sections

C25 - MI100-EN-425G (PHASE 4 - External Levels and Drainage Sheet 5 + Plots 580-599)

C25 - MI100-EN-400S (PHASE 4&5 - S104 Adoption plan)

Received 3 January 2025

C25 MI100-EN-421H (PHASE 4 - External Levels and Drainage Sheet 1

C25 PHASE 4 - External Levels and Drainage Sheet 7 + Plots 539-560 - Drg No. MI100-EN-427E

C25 Storm - Network 4 All Storms. 03.01.24

C25 Storm - Network 5 All Storms. 03.01.24

C25 MI100-EN-423F (PHASE 4 - External Levels and Drainage Sheet 3)

C25 MI100-EN-450 (PHASE 4 - Plot 466-470 Flood Routing)

C25 Storm - Network 4 Critical Storm. 03.01.24

C25 Storm - Network 5 Critical Storm. 03.01.24

Received 15 October 2024

C25 MI100-EN-415A (PHASE 4&5 - Control Chamber S5050

Received 8 October 2024

C25 PHASE 4&5 - Flood Routes - Drg No. MI100-EN-414A

C25 PHASE 4&5 - Impermeable Areas - Drg No. MI100-EN-413A

C25 Control Chamber S4023 - Drg No. MI100-EN-117

C25 PHASE 4 - External Levels and Drainage Sheet 2 + Plots 651-660 & 678-701 - Drg No. MI100-EN-422E

C25 PHASE 4 - External Levels and Drainage Sheet 3 + Plots 500-538 & 639-677 Drg No. MI100-EN-423D

C25 PHASE 4 - External Levels and Drainage Sheet 4 + Plots 600-638 - Drg No. MI100-EN-424D

C25 PHASE 4 - External Levels and Drainage Sheet 5 + Plots 580-599 - Drg No. MI100-EN-425E

C25 PHASE 4 - External Levels and Drainage Sheet 6 + Plots 561-579 - Drg No. MI100-EN-426E

C25 Hinckley SuDs Maintenance Regime

C25 Foul Full Site

Condition 29

No development shall commence, in any phase, unless and until such time as a scheme for the investigation of any potential land contamination on that phase 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.

C29 & C31 Phase II Exploratory Investigation Report – Received 11 April 2024

Condition 31

No development shall commence, in any phase, unless and until such time as a scheme for the monitoring of landfill gas for that phase has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any landfill gas 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.

C29 & C31 Phase II Exploratory Investigation Report – Received 11 April 2024

Condition 32

No development shall commence, in any phase, unless and until such time as an Air Quality Assessment has been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with any mitigation measures identified.

C32 Air Quality Assessment - Received 11 April 2024

Condition 33

No development shall commence, in any phase, unless and until such time as a scheme for protecting the proposed dwellings and/or school and for that phase from noise associated with road traffic and the proposed convenience retail has been submitted to and approved by the Local Planning Authority: and all works which form part of the scheme shall be completed before any of the permitted dwellings are first occupied.

C33 Noise Impact Assessment - Received 11 April 2024

C33 TM59 Results 20.05.2024 – Received 20 May 2024

Received 29 May 2024

C33 Plot 462 - 389 SD 6.3 North MI100 Hinckley TM59

C33 Noise Report (affected facades)

C33 Ventilation Details (Fan Requirements)

C33 Ventilation Issue 6 - 807 Lyttelton Byron Ventilation

Received 4 June 2024

C33 Mechanical Ventilation Details (IS911.1)

C33 Mechanical Ventilation Details (IS911.2)

C33 Ventilation Details (Extractor Rates)

Condition 34

No development shall commence, in any phase, unless and until such time as details of any external lighting of the development other than street lighting for that phase is submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Received 11 April 2024

C34 Proposed Lighting Private Areas

C34 Proposed Lighting Drawing

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council

LCC Ecology

HBBC Drainage Officer

Compliance & Monitoring Officer

Environmental Services Officer

LCC Highways

Conclusion / Summary:

Condition 7

A Travel Plan has been assessed by the LHA who have accepted the plan for Phase 4 of the development. The plan details the existing and enhanced Prow's, a Travel Plan Co-Ordinator is in place and surveys completed on those phases currently under construction which are to be repeated annually and those phases that remain still required discharge of condition 7. Targets and objectives are provided along with initiatives through SMART travel are also detailed. The bus service is currently in use following the completion of phases 1, 2 and 3 and those residents to be occupying Phase 4 will be able to use bus stops nearby and therefore the details provided will satisfy Phase 4 of the development to commence in accordance with the Framework Travel Plan. The measure approved will continue to be available thereafter.

Condition 11

Plan C11 EM100-LS-023e (Site Landscaping Ph4 (Boundary Treatments knee rails) was approved under reserved matters application 23/00574/REM and shows knee rails around Phase 4 which defines open space areas and ensures that they are protected from on street parking and to deter vehicle access and a 1.2 post and rail fence to the play area which defines the area of play. An updated noise impact assessment has been provided to include phase 4 that shows no acoustic fence is required for phase 4 and on plot boundary treatments are shown on Plan 404E which consist of 1.8m close board fencing, 1.8 panel fencing for phase 4 which are usual boundary treatments for residential plots along with a 1.8 screen wall on external gardens in various prominent places throughout phase 4. The details approved under the reserved matters ensure that the development is provided with design quality and consistent with other approved phases in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 12

The proposed levels and finished floor levels across the site resemble existing levels on the topographical survey with little changes. The proposed levels also follow the existing datum of the adjacent highway which will ensure that the development has an overall satisfactory appearance. There are no existing residents to which the levels will directly impact, only the new

properties in Phase 2. The levels have been reviewed in this area and are acceptably related. Levels to the play area have a small fall to allow water run-off so as not to cause flooding on the play surfacing area. The FFL are set no lower than 600mm above the 100 year + 20% climate change in section 5.1.1. of the Flood Risk Assessment as required by the drainage scheme. Based on the details provided it is the LPA's opinion that the details will ensure a high quality of design and follow the levels of the surrounding phase to be acceptable in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 13

A materials layout plan has been provided for phase 4 which details four types of bricks to be used across the development. These consist of Welbeck Autumn Antique, a Sherwood blaze which are light in colouring of orange but within the pallet has darker shades throughout giving an overall acceptable appearance. A Red Abbeydale Multi has also been selected which is an overall darker red colour with texture and darker spots randomly selected over a large area with some bricks having a lighter tone in the middle which give a contrast brick to the other two detailed. A fourth brick has been agreed as part of the reserved matters which is a Leicestershire Russet Mix which is an overall buff brick which has lighter tones throughout the pallet together with darker toned bricks which give an overall acceptable appearance and will break up the predominantly orange and red bricks throughout the development. The pallet of materials provided enhance the property types and bring variety to the centre of the whole development. A mix of mock bond concrete tiles in grey and red have been proposed to be used across phase 4 like the plots built on phases 1, 2 & 3 which are found to be acceptable. Those plots identified with a cladding feature will be anthracite grey plank boarding and will be complemented with off black front doors which are to be provided to all plots on this phase. Those plots to be rendered will be rough cast in chalk white. It is our opinion that an appropriate mix of materials to phase 4 has been provided which ensures that the external appearance is satisfactory and accords with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 14

A water vole corridor protection plan has been submitted and found acceptable by the County Ecologist. The plan shows a 600mm deep wet channel linking the existing watercourse to the drainage basins. An island refuge, a central pond area within the flood plain where excavated will form channels and pools with no direct inflow from the watercourse or on site drainage system 6.0m width protection zone from the edge of the watercourse Five meters will be grassed with a 2-meter-wide planting shelf and stock fencing will be provided around the perimeter to discourage public access in these areas. All of which are mitigation measures which are to be implemented so that they development does not have a detrimental impact upon a protected species in accordance with DM6 of the Site Allocations and Development Management Policies (2016) and Paragraph 186 of the NPPF.

Condition 23

Condition 23 is to be adhered to unless otherwise approved by the LPA. As the FRA was originally submitted some time ago during the outline an addendum to the FRA has been submitted along with supporting drainage details and calculations which have been assessed by the Councils Drainage Officer and the LLFA. The consultees are in acceptance to the details submitted which satisfy the requirements of Condition 23 to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 25

A surface water drainage scheme and supporting calculations were assessed by the Councils Drainage Officer and the LLFA. During the consultation process it was apparent that additional attenuations were required to satisfy the LLFA to enable the condition to be eligible for discharge

which would allow for additional storage methods during storm events and climate change. Revised plans and supporting calculations were provided and subject to the approval of a revised site layout of the reserved matters which is to be submitted as a NMA are acceptable to discharge condition 25 as the details now demonstrate that the drainage proposal will reduce the increased risk of flooding over time, both on and off site in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 29

A Phase II Exploratory Investigation Report by GeoDyne has been provided to support Condition 29 (Land Contamination) relating to Phase 4. The report has been assessed by the Councils Environmental Services Officer. In summary the investigations undertaken result in no mitigation measures being required and therefore condition 29 is eligible for discharge for phase 4 as the details demonstrate that no additional protection is required for future users of the land from land contamination in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 31

A Phase II Exploratory Investigation Report by GeoDyne has been provided to support Condition 31 (landfill Gas) relating to Phase 4. The report has been assessed by the Councils Environmental Services Officer. In summary the investigations undertaken result in no mitigation measures being required as there is no landfill gas on this phase to mitigate therefore condition 31 is eligible for discharge for phase 4 as the results of the investigation demonstrate that no additional protection is required for future users of the land from land contamination in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 32

An air quality report that has been submitted where investigations have been undertaken for air pollution measures across the development. The report has been assessed by the Councils Environmental Service Officer and found to be acceptable as the details demonstrate that proposed development does not have a detrimental impact upon air quality of the area in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

Condition 33

An updated Noise Impact Assessment has been submitted which details investigations into noise for Phase 4. The report has been assessed by the Councils Environmental Service Office. The report summarises that no acoustic fencing will be required for Phase 4 as the noise levels internally are acceptable, however mechanical ventilation is required to some plots and these have been identified and details of the mechanical ventilation to be installed has been provided. The details submitted ensure appropriate mitigation measures are in place and are to be installed prior to occupation which will protect future residents from noise pollution to those plots outlined in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 34

Lighting details have been provided for Phase 4 which have been assessed by the Councils Environmental Services Officer and LCC Ecology who accept that the details provided do not exceed acceptable lighting levels for residential areas or wildlife corridors. Therefore, no additional mitigation to the lighting for phase 4 is required as the details provided are satisfactory to ensure the protection of existing and future residents from light pollution in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016). Notwithstanding the discharge of Condition 34, all lighting

within the highway is subject to approval of a Section 278 Agreement with the Local Highway Authority.

Officer Recommendations for Phase 4

Condition 7 Travel Plan - Discharge
Condition 11 Walls, Fences & Gates - Discharge
Condition 12 Levels - Discharge
Condition 13 Materials - Discharge
Condition 14 Water Voles - Discharge
Condition 23 – FRA - Discharge
Condition 25 Surface Water Drainage - Discharge
Condition 29 Land Contamination - Discharge
Condition 31 Landfill Gas – Discharge
Condition 32 Air Quality Assessment – Discharge
Condition 33 Noise Mitigation - Discharge
Condition 34 Lighting – Discharge