

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00908/DISCON
Applicant: Mr Adrian Newberry
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Land South Of Poplar Terrace Congerstone

Application to discharge planning conditions 9 (Written Scheme of Investigation) 10 (Construction Environmental Management) and 11 (Land Contamination) on planning application 23/00332/FUL

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

Condition 9 WSI

No demolition/development shall take place/commence until a Written Scheme of Investigation (WSI) has been submitted to, and approved in writing by, the Local Planning Authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives and

- o The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

- o The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

**Received 20 November 2023
C9 WSI V3**

Condition 10 CEMP

Prior to the commencement of development, a Construction Environmental Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises, and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light, and land contamination. The plan shall detail how such controls will be monitored.

The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

**Received 8 November 2023
C10 CMP Rev A 5188-0402 (Plots 1-5 DOC)
C10 TMO Rev A 5188-0402 (Plots 1-5 DOC)**

Condition 11

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 in writing 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 will be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the first site being occupied.

Received 13 September 2023

**C11 Phase I and II Geo-Environmental Assessment Land South of Poplar Terrace
Congerstone Issue 1**

Consultees / Assessed by:

LCC Archaeology
Environmental Service

Conclusion / Summary:

Condition 9

A WSI has been produced and reviewed by LCC Archaeology. The details within the WSI clearly demonstrate how they propose to record and assess the significance of the affected resource prior to its loss and ensure that the results are recorded as specified in Historic England's Good Practice Advice Note 2, Managing Significance in Decision-Taking in the Historic Environment (p. 11) and to advance the understanding of, and safeguard the significance of the heritage asset in a manner proportionate to its importance in accordance with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 205 and Section 16 of the National Planning Policy Framework.

The condition is eligible for a partial discharge to enable the investigation recording to be completed. To fully discharge the condition the results of the investigation will be required to be submitted and approved by the LPA.

Condition 10

A construction management plan has been provided as well as a previously approved management plan that was provided for the other dwellings on the development. The Council's Environmental Services Officer has reviewed both the documents in support of Condition 10 and they are acceptable as they demonstrate how the developer proposes to help mitigate and minimise the disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 11

A Phase I & II Land Contamination report has been submitted in support of Condition 1 and assessed by the Council's Environmental Services Officer. They agree with the recommendations in the report which demonstrates how they propose to mitigate land contamination risk to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

The condition is therefore eligible for a partial discharge and the recommendations be implemented. Once completed verification / validation will be required to be submitted to be approved to enable the condition to be fully discharged.

Officer Recommendations:

Condition 9 Archaeology – Partial Discharge
Condition 10 CEMP – Discharge
Condition 11 Land Contamination – Partial Discharge