

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00747/DISCON
Applicant: Mr Daniel Corcoran
Ward: Barlestone Nailstone And Osbaston



Hinckley & Bosworth
Borough Council

Site: Church Farm Washpit Lane Barlestone

Application to discharge conditions 10 (Badger Mitigation) 13 (CEMP Ecology) and 15 (CEMP Environmental) attached to planning permission 21/01395/FUL

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

Condition 10

No development shall commence until a survey to confirm (or otherwise) the presence of Badgers on the site has been submitted to and approved in writing by the Local Planning Authority. If Badgers are present the survey shall be accompanied by a scheme of appropriate mitigation measures (including precise details of the timing and method of protection). No development shall be undertaken except in accordance with the approved scheme of mitigation.

C10 Badger Report – Received 31 July 2023 (Confidential)

Condition 13

No development shall take place until a site wide Construction Environment Management Plan has first been submitted to and approved in writing by the Local Planning Authority.

This plan must include the following elements:

- o measures for protecting the retained hedges and trees, with specific reference to the Black Poplar
- o protection of setts and badger foraging routes during construction
- o creation of gaps/gates along boundary fencing to allow hedgehog, badger and small mammal access, and avoid entrapment with the site
- o Avoidance of harm to bird nesting during construction - either by avoidance of works in the March to July inclusive nesting season, or through surveys by suitably qualified ecologist immediately prior to ground clearance and construction; any birds nesting 'in the way' will need to be protected and monitored until they have finished nesting and their young have fledged.

The development will be carried out in accordance with the approved Construction Environment Management Plan thereafter.

C13 & C15 CEMP – Received 31 July 2023

C13 & C15 Pile & Noise Method Statement Received 14 August 2023

Condition 15

Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the LPA. 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.

C13 & C15 CEMP – Received 31 July 2023

C13 & C15 Pile & Noise Method Statement Received 14 August 2023

Consultees / Assessed by:

LCC Ecology
Environmental Services

Conclusion / Summary:

Condition 10

A badger report submitted in support of Condition 10 has been assessed by LCC Ecology. The report identifies the presence of a badger sett and sets out specific protection measures that should be always adhered to during the construction phase. An Avoidance Method Statement (RAMMS) is provided which shall be implemented to prevent disturbance. The details submitted will ensure that protected wildlife species are protected and their habitats that are known to exist on site which accord with in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 13

A CEMP & Noise Method Statement has been submitted in support of Condition 13 which details protection measures to be put in place to protect wildlife and their habitats on the development site to ensure that the wildlife and supporting habitat disruption is minimised and to secure any enhancement of the nature conservation value of the site and secure BNG in accordance with SADMP policy DM6; BNP policies ENV3, ENV7, ENV8 and ENV9; and the advice contained in the NPPF together with the Habitats Directive.

Condition 15

The CEMP and Noise Method Statement also details how they propose to mitigate the impact of the development to nearby land users and amenities within the vicinity of the site in accordance with SADMP policies DM7 and DM1 and the advice contained in the NPPF. The Councils Environmental Services Officer and LCC Ecology are satisfied that the details within demonstrate how this will be achieved and are satisfied.

Officer Recommendations:

Condition 10 Badger Survey – Discharge
Condition 13 CEMP (Ecology) – Discharge
Condition 15 CEMP – Discharge