

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Approval of Details Reserved by Condition

DoC DECISION NOTICE

Name and Address of Applicant

Mrs Laura Ward
Davidsons Development
Ashfield Farm
Kirkby Road
Desford
Leicestershire
LE9 9JX

Name and Address of Agent (if any)

Part I – Particulars of Application

Planning Reference: 26/1114/DISCON

Application Site: Ashfield Farm, Kirkby Road Desford

Proposal: Application to discharge C8 (CEMP) attached to planning permission 22/01227/OUT on Appeal Decision APP/K2420/W/23/3320601

Part II – Summary of Decision

CONDITIONS NOT DISCHARGED

In pursuance of its powers under the Town and Country Planning Act 1990 (as amended), the Local Planning Authority considers that the details submitted fail to satisfy the requirements of the following condition and therefore **cannot be approved**

Condition 8 - Construction Environmental Management Plan (CEMP)

C8 CEMP [Received 19/11/25]

Reason: The LPA is not satisfied that the currently submitted CEMP contains adequate information to ensure that the disruption to neighbours is adequately minimised from noise and dust and that surface water during the construction period will be adequately contained within the site in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

The details submitted are **INSUFFICIENT** for LPA to recommend discharge and therefore the Condition is **NOT DISCHARGED**

Date: 22 June 2026

C. Brown.

Christopher Brown MRTPI
Head of Planning

Part III – Particulars of Decision

Condition 8:

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 and include details in relation to the management of surface water on site during construction. 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.

Consultees

LLFA, HBBC's Drainage & Environmental Services Officers

Assessment Summary:

The developer submitted a CEMP and following consultation the Councils Environmental Services Officer requested confirmation if piling was a foundation method to be used and that the CEMP should contain dust suppression for each type of machinery. The Councils Drainage Officer also requested a supporting plan to indicate the extent of mitigation measures for the management of surface water drainage during the construction stage. The LPA requested the information on 17 December 2025, followed by an email on 1 April 2026. No response has been received therefore the LPA advised the applicant on 20 May 2026 that the application be determined as NOT DISCHARGED due to insufficient information in the CEMP received to date

Note to Applicant:

Where conditions are **not discharged**, the applicant has the right to appeal the decision to the Secretary of State via the Planning Inspectorate. Details of how to appeal can be found at:

<https://www.gov.uk/appeal-planning-decision>

Alternatively, the applicant may submit a new application, together with the relevant fee and supporting documentation addressing the outstanding requirements to seek discharge of the condition.